

AUGUST 2006

IN THESE TIMES

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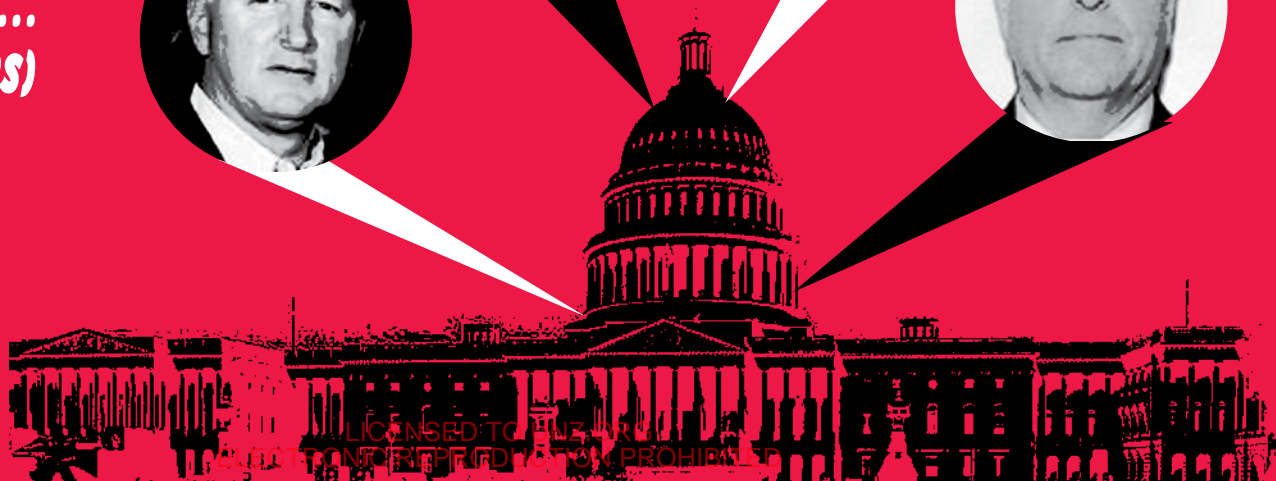
CAPITAL CRIMES

THE RISE AND FALL OF BUSH'S BAGMEN!

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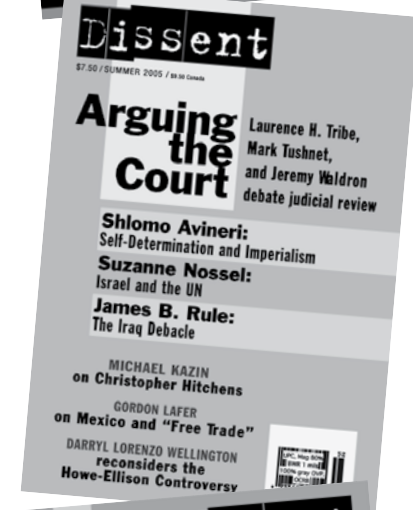
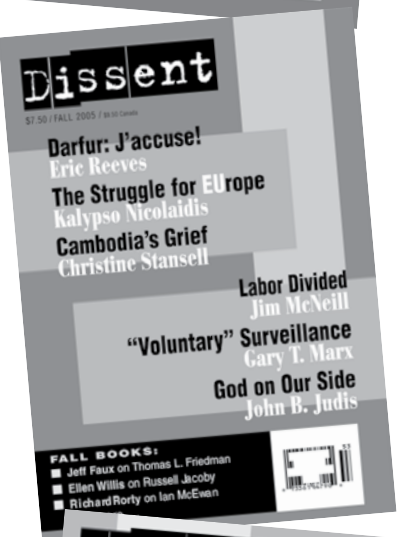
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Thank You, Mr. Bush

FEELING GRATEFUL TO the Bush administration is a rare experience. But sometimes the White House can do something right, even if for the wrong reasons.

The administration's gift to the nation was to openly attack journalists. "[M]ore than any other White House in history, Bush's has tried to starve, mock, weaken, bypass, devalue, intimidate, and deceive the press," David Remnick recently wrote in *The New Yorker*.

That certainly wasn't the president's attitude while Judith Miller was transcribing Rumsfeld's fantasy life, or when the press was regurgitating the administration's conflation of the 9/11 attacks and Saddam Hussein's domestic crimes, or "balancing" coverage of global warming by citing industry flacks alongside peer-reviewed studies.

Now with Bush's failure as palpable as a crowbar to the kneecap, the media are regularly reporting on the dismal state of the war, recognizing global warming as fact, outing NSA surveillance and interviewing former prisoners from America's far-flung gulags. Bush has responded with open antagonism.

It's about time. The press and those in power are not allies, buddies or teammates—not even in the war on terror. If their interests sometimes coincide, their roles do not. They are—they should always be—adversaries, and if there is not tension, profound distrust and occasional loathing on both sides of the equation, the press is not doing its job.

Unfortunately, most of the media have reacted to Bush's attacks with great rhetorical waves of self-defense, often countering with how much information they actually do withhold on government request to "protect" national security. Writing about decisions to "withhold information of significance," *New York Times* Executive Editor Bill Keller notes: "We have sometimes done so, holding stories or editing out details that could serve those hostile to the U.S. But we need a compelling reason to do so." The government's appeal to na-

tional security was apparently sufficiently compelling to make the *Times* withhold its story on potentially unconstitutional, warrantless NSA surveillance for a year. The investigation was eventually published after Bush's re-election.

"The difference between burlesque and the newspapers," noted muckraker I.F. Stone, "is that the former never pretended to be performing a public service by exposure." When journalists expose government secrets and crimes, they are simply doing their jobs. They do not need to spill endless ink justifying that role in a democracy—especially when there is no evidence that the disclosures put anything at risk but the president's poll numbers.

But lack of evidence never stopped the Bush administration. In a classic case of misdirection, a president who undermined national security by illegally taking this country to war, by condoning torture, by violating the Constitution and by destroying the world's goodwill is attacking the *New York Times* for "put[ting] our citizens at risk."

"We're at war with a bunch of people who want to hurt the United States of America," said Bush about media disclosure of his banking surveillance program, "and for people to leak that program, and for a newspaper to publish it does great harm to the United States of America." Vice President Cheney sang counterpoint with: "The *New York Times* has now made it more difficult for us to prevent attacks in the future."

The good news is that whether reporters and editors like it or not, the administration's attacks on the press clarify that in a democracy, journalists are not friendly sparring partners for those in power. They are natural enemies, and when they do their job, they risk unreturned phone calls, banishment from the elite dinner tables of Georgetown, public harassment and even jail.

That is the signal the Bush administration just sent the insufficiently cooperative media. Thank you, Mr. President.

—Terry J. Allen

IN THESE TIMES

"With liberty and justice for all..."

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mixed reaction

QUID PRO QUO

THE QUID:

It may pay well, but being an intellectual whore for Corporate America can be lonely work. Take Susan Dudley, director of the Regulatory Studies Program at George Mason University's Mercatus Center, a "think tank" that has been funded by Enron, Pfizer and Exxon, among other corporate giants. During her tenure at Mercatus, Dudley had few allies when arguing against regulations that would mandate advanced air bags in cars, set tougher public-health standards for smog and reduce arsenic in U.S. drinking water.

THE QUO:

Dudley, however, will soon have a whole federal office to keep her company. As a reward for her years of zealous devotion to the bloodless realm of cost-benefit analysis, the White House wants Dudley to head its Office of Information and Regulatory Affairs. The office oversees the EPA and helps set regulatory policy on matters like workplace safety and water quality.

Those of us who enjoy our Jameson leavened with arsenic applaud the nomination.

“ If it is the philosophy of any that the forces of government should not be used to overcome these conditions [of poverty], which private enterprise did not overcome, that philosophy borders on the immoral. ”

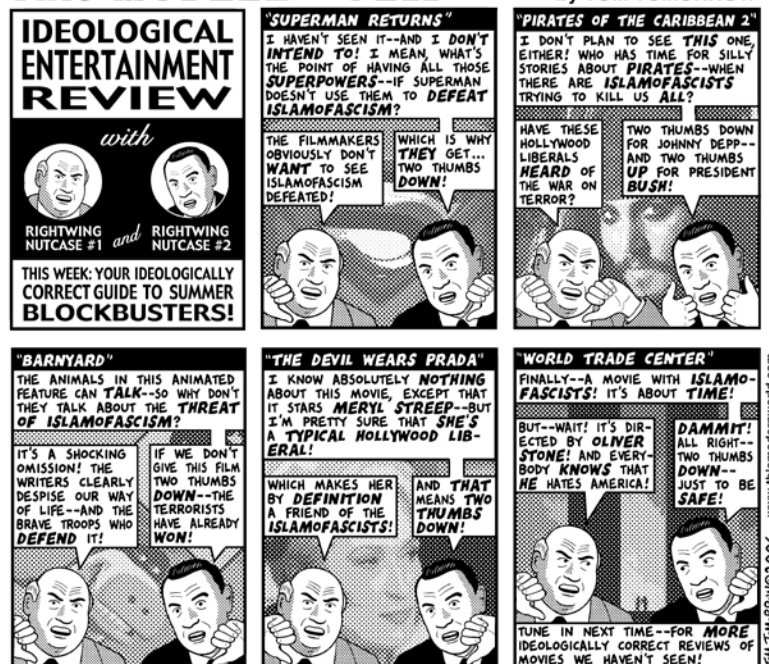
FRANK ZEIDLER, SOCIALIST MAYOR OF MILWAUKEE FROM 1948 TO 1960, WHO DIED ON FRIDAY, JULY 7, AT AGE 93

LABANARAMA BY TERRY LABAN



THIS MODERN WORLD

by TOM TOMORROW



the lexicon

Ridin' Dirty [slang]

CURRENT USAGE:

Popularized by rapper Chamillionaire with his summer hit "Ridin'." In urban slang it refers to driving while carrying or consuming contraband substances.

In politics, it's the way to describe an otherwise reputable politician acting in an uncharacteristic manner.

EXAMPLE:

"I really like Barbara Boxer's position on the war, but going on the stump for Joe Lieberman? That's ridin' dirty."

letters



Don't Forget Labor

I've just read "Welcome to the Media Revolution" (July) and I was deeply perplexed about the apparent absence of labor media representation at the Philadelphia signing of the Declaration of the Independent Media. Nor is there a category of labor publications in your list of the Progressive Media Network and its allies.

I am quite prepared to cede an argument that labor publications cannot be categorized as "independent," and I'm receptive to the observation that some labor publications are no more progressive than a British Petroleum in-house magazine. But the lack of even a nod to the existence of publications such as *Labor Notes* makes me wonder if the whole sub-universe of labor journalism was simply overlooked—which, unfortunately, says as much about us as it does about you.

Assuming the worst, I'm writing to urge you and your co-conspirators to think more deeply on this matter. While the labor press is indeed in a pitiable state, it has a long history of progressive agitation that hasn't been

entirely extinguished. And whatever troubles divide the union movement, its 16 million members should be a primary target of any outreach by the progressive movement—an audience more readily accessed through the labor press than other media.

Rather than writing off the labor press, the Progressive Media Network would advance its agenda by reaching out to union editors and reporters. We're a fairly isolated and fragmented bunch, burdened further by declining resources and a lack of institutional support, but we've also got a fair number of smart and passionate thinkers and writers. It's a shame to overlook such a resource.

A good place to start would be the International Labor Communications Association, a struggling, underfunded organization, comprising mostly the editors of union publications large and small. Sustained almost entirely by membership dues, the ILCA has as one of its main goals the advancement of journalistic values and practices within an "industry" that is largely married to PR sensibilities.

I should add that I have high hopes for this initiative and in no way mean to undermine what's already been done. But the complete divorce of a progressive undertaking like this from its closest historical ally, the labor movement, should not pass without comment.

Andy Zipser
Editor, The Guild Reporter
Washington D.C.

Funding Dysfunction

Thank you for Christopher Hayes' excellent article "The New Funding Heresies" (July). I would add the following caveat, though: not only are there major dysfunctions on the part of funders, but also on the part of many grantees. A huge number of supposedly progressive nonprofit organizations are grossly ineffective, if not purely showcases to get more funding. Funders, institutional and not, should not be involved in strategic planning, but they should demand clear proof that grantees are truly getting to scale, building real power and are substantially supported (including financially) by members/supporters/subscribers. If not, they should be cut off. The current world of nonprofit "evaluations" is ridiculously inflated and virtually totally self-congratulatory. We need fewer, much more effective organizations.

Bob Wing
Via e-mail

Patently Typical

As a patent agent, I particularly enjoyed "Sticks & Stones ... and Dykes" (July), about the success of Dykes on Bikes in getting a trademark. However, I would like to stick up for the Patent & Trademark Office (PTO), if you don't mind. The article mentions "after two and a half years" as if that might be a deliberate insult to Dykes on Bikes, but actually that's a pretty typical timeframe between a filing and any feedback on the examination process. Also, the "battle" is pretty commonplace. The

PTO is an instrument of the government, and has a duty to uphold legislation, for example, not allowing patents or trademarks for vulgar and offensive inventions or trade names. I applaud Dykes on Bikes for going the distance and persuading the PTO to give them their trademark, but your readers should know that such battles are par for the course and happen for just about any trademark or patent that is worth its salt!

Jackie Coyne
U.S. Patent Agent
Jefferson, Iowa

Hooray for Homeschooling

Thank you for excerpting Michelle Goldberg's timely new book, *Kingdom Coming* (June). I've since gotten a copy and am now reading it. Just one important comment: Not all homeschoolers are religious right-wingers. There are plenty of progressive homeschooling families out here. Our family, for example, feels it's important for our children to have the freedom to follow their own intellectual curiosity rather than be forced to memorize and spew out "facts" and be "socialized" by a public school system which simply recreates the indoctrination we're working to change in the world. Goldberg herself points out in the excerpt that even right-wing evangelical curriculum is now finding its way into public schools. No thanks! Our hope is that by encouraging and protecting our children's innate intellectual curiosity and inquiry now, they will be

better able to wrestle with the problems we all face in the world and hopefully come up with some creative solutions as empowered adults.

Patricia Raynor
Reston, Va.

What's Up, Conspiracists?

Thanks for "The 9/11 Faith Movement" (July). I totally agree with Terry Allen and wonder if anyone has ever conducted a good study looking for personality traits associated with people who always seem to gravitate to this side?

The one thing most of these conspiracy theorists have working for them is they can always claim anyone who doesn't believe them can't be trusted ... as if the contrary view always must be suspect and that everyone believing a contrary view must be part of the cover-up, or worse, unwilling to look at the truth.

Despite all of the solid evidence from reputable sources and even good eyewitness testimony from people who saw the plane hit the Pentagon on 9/11, there are still a lot of people who wish to believe a missile hit that building. They refuse to discuss what happened to the plane in their scenario, the people on it or how it managed to escape without ever being detected by

radar. I just don't get it. How many people do they think would have been involved in the cover-up of 9/11 to pull the wool over everyone's eyes? In real life, these same people probably couldn't get 10 people to keep their mouth shut when asked not to divulge their secret.

However, what has been covered up (although not very well) is gross government incompetence and negligence that allowed 9/11 to happen. Taking more attention away from this with crazy conspiracy theories is not in anyone's best interests.

R. J. Crane
Via e-mail

Our Bad

For the life of me, I can't find the article "Why Barack Obama Isn't Getting His Mail" in the July edition of *In These Times*. Where is it? If it's in there, it's well-hidden.

Will Lotter
Davis, Calif.

EDITOR'S NOTE

We received several concerned letters from readers about this cover line. It referred to Christopher Hayes' "Postmark Guantánamo," which appeared in the Frontline section on page 13 and discussed letters being held by the Department of Defense that were sent by a Guantánamo inmate to U.S. senators. We apologize for the confusion.

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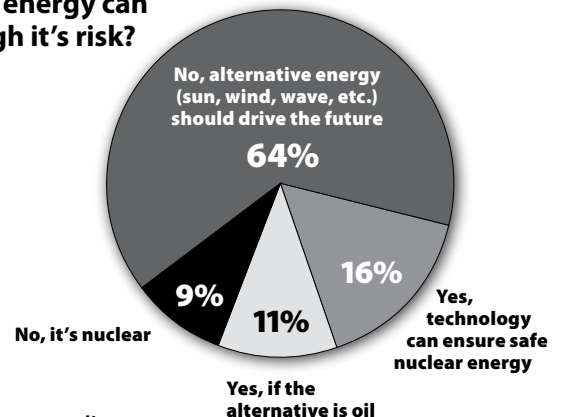
Salim Muwakkil on the persecution of the "American Taliban"

Christopher Hayes interviews Nastassin Heasimorich about the intellectual life in exile

Phoebe Connelly on the longest-operating women's health collective in the United States

Leah Nelson on Rep. Peter Hoekstra's (R-Mich.) secret source

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GREGORY LIRIO/AGA

On July 11, Oakland nurses rally in protest of the NLRB stand against unions.

Nurses Fight to Retain Right to Unionize

An NLRB ruling will undercut workers' rights

BY DAVID MOBERG

WHEN AN ORGANIZER FIRST talked to Kathy Haff three summers ago about joining a union, the veteran cardiac nurse at Chicago's Our Lady of Resurrection Hospital wanted to sign up immediately. "I wanted to improve our staffing, which is lousy," Haff says, complaining that the hospital managers assign too few nurses to care properly for the patients. "With a union, we'd have some say in what's going on. Often they change things without even asking us or running it by us to see if it's a good idea."

But this summer, if the National Labor Relations Board (NLRB) rules as many labor lawyers expect, Haff may be denied her rights under federal labor law to join a union. This is because Haff, like many registered nurses in hospitals, occasionally works as a "charge nurse" in addition to her regular nursing work, filling out paperwork, making sure there

will be enough nurses for the next shift and dealing with patients' families. The NLRB is expected to rule that such duties make her a "supervisor," thus revoking her right to act collectively at work and join a union.

It's a cruel irony for Haff to be denied a voice at work in crucial matters about patient care on the grounds that she's already part of management. "I can't do any hiring or firing or make any decisions," she says. "I don't have any real authority."

This seemingly arcane question of who is a supervisor could lead to 300,000 nurses losing the right to be in the unions to which they already belong, and could stymie ambitious plans to organize nearly 2 million more nurses. Although many unions have tried to organize nurses, over the past two decades they have only managed to keep pace with the growth of the profession, which remains about 16 percent unionized. Nearly all hospitals, even

religious and nonprofit institutions, fight unionization relentlessly unless unions succeed in pressuring them to adopt a neutral stance.

The feared ruling by the NLRB could lead to the loss of the right to a union for millions of other workers, according to AFL-CIO organizing director Stewart Acuff, including many foremen in the construction industry, along with team leaders at factories, mines and docks. And AFL-CIO Department of Professional Employees president Paul Almeida argues that a large number of engineers and technical workers could be denied their rights to unionize at a time when prospects for their organizing have improved. "There are a lot of people in engineering and other professions who perform a similar role [to a charge nurse], do it sporadically, like a lead on a particular project," he says.

The Economic Policy Institute, a Washington think tank, calculates that pending NLRB cases could affect 1.4 million workers, and if the board uniformly adopts a broad interpretation of what it means to be a supervisor, 8 million more workers would lose their right to unionize.

The ruling "potentially has a very broad effect," says former NLRB chief counsel Fred Feinstein, because the structure of the typical workplace has become much more fluid and less clearly hierarchical since Congress first enacted the basic federal labor law in 1935. Originally, supervisors could be in unions, but in 1947 pro-business legislators pushed through the Taft-Hartley Act, which excluded them. Since then, judges and legislators have repeatedly said that workers in ambiguous positions where they were mainly exercising their professional skills in leadership roles should be eligible to form unions.

However, in 1980, the Supreme Court ruled in *NLRB v. Yeshiva University* that tenured faculty at private universities were part of management because of their influence on hiring and university administration through various committees. In 2001, the Supreme Court, in *NLRB v. Kentucky River Community Care, Inc.*, ordered the NLRB to come up with a new way of defining supervisors. Now the NLRB is considering three supervisor cases, two

in nursing and one in manufacturing, but roughly 150 other cases involving workers' rights to form a union have been held up by the Board's delay.

Since the Bush-appointed board has already restricted the rights of other workers—for example, reversing the Clinton-era NLRB decision that granted university teaching assistants the right to organize—it will likely define supervisor roles broadly. In the past, the NLRB has typically permitted oral arguments by interested groups in cases that might establish important precedents. But the Bush board has refused to hear any oral arguments during its term, including in the supervisor cases.

An NLRB decision narrowing rights of skilled and professional workers to unionize will also harm the wider labor movement. This is especially true at hospitals, where nurses are the largest single occupation. California Nurses Association Organizing Director David Johnson says, "Skilled workers have the most power at work, and the end result will be less powerful unions." Employers will also force these newly classified workers to join with other supervisors

as front-line opponents of organizing by less-skilled workers.

Patients and the public will suffer as well. Nurses want to organize not only to improve their own working conditions but also to improve patient care.

Repeated studies have shown that increasing the ratio of nurses to patients is a cost-effective way to save tens of thousands of hospital patients every year from preventable deaths. And other research, including a new study from the Institute for Women's Policy Research, shows that improving working conditions and increasing pay for nurses could alleviate the supposed nursing shortage that hospitals face.

Unions are preparing to fight back. Protests against the NLRB are scheduled in nearly 20 cities in July. Unions are bargaining to protect rights of nurses and other threatened workers in existing contracts (as the Teachers union did in June in New Jersey). In the long run, if the board rules as expected, unions will be able to organize workers reclassified as supervisors only through direct pressure on employers, not by relying on the NLRB to protect workers' rights. ■

Mexican Vote Count Still in Question

SAN SIMÓN, MEXICO—"We're going to win," said Alfredo Gonzalez from underneath a shad tree at this town's only polling place on July 2, election day. Like many pulling for a leftist candidate to win Mexico's presidency, he'd been waiting a long time for this.

Three tense days later, Mexico's Federal Electoral Institute (IFE) released this news: right-wing presidential candidate Felipe Calderón from the ruling PAN party received 243,934 more votes than leftist Andrés Manuel López Obrador in a 42-million-vote race. The difference amounted to 0.58 percent of the total, or fewer than 2 votes per polling place.

Obrador denounced the count and the election before the independent IFE was through counting ballots. Many of his followers jumped to one conclusion: "There was fraud," says Gonzalez, 46, a field hand who supports five children on a salary of \$9.50 per day. "This was all set up from the top."

The anomalies appeared for the most

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A woman casts her vote in San Simón.

part after voting was finished. A computerized preliminary count posted online was riddled with errors. Polling places were entered several times, votes at some polling places exceeded the number of ballots issued and vote totals did not match official numbers that poll workers had taken home. The count ended with a less than 1 percentage point lead for Calderón—but IFE left out 2.5 million votes without telling the public.

In addition, voters in some areas complained that polling stations had run out of ballots. Newspapers published photos of official tally sheets and ballots allegedly found in garbage dumps. Mathematicians have alleged “cyber fraud”; Mexicans vote on paper ballots, but two Mexican Autonomous University professors who analyzed the final count said they believe IFE applied a computer algorithm to manipulate numbers. Some 900,000 votes were nullified because voters marked ballots incorrectly.

After 70 years of fraudulent elections, it may be easier for many to imagine that things are back to normal than to believe that their candidate lost a fair election by a hair.

But the election did not have to be this close. Obrador’s simple campaign message, “For the Good of All, First the Poor,” seemed an easy sell in a country where half the population earns the same or less than Alfredo Gonzalez. But Calderón led a fierce attack against Obrador, calling the populist a “danger to Mexico.”

And while Harvard-educated Calderón was getting advice from Dick Morris and using imported marketing expertise, Obrador stubbornly insisted on making key campaign decisions himself,

refusing to run TV and radio spots and skipping televised debates.

Then, in a speech accusing President Fox of meddling in the election, Obrador told Fox to “shut up,” calling him a “chachalaca,” a type of squawking bird. The comment ended up—where else?—in Calderón commercials.

Political scientist Denise Dresser wrote this month in *Proceso* magazine that López Obrador “insisted on seeming dangerous.” She wrote, “It was his election to lose, and he lost it.”

As analysts ponder how the votes fell, some are pointing fingers at Mexico’s fractured left. Patricia Mercado, a veteran feminist and labor activist who focused on issues no other candidate would touch—gay rights, abortion, domestic violence—picked up 1.1 million votes. Her Alternativa Party sheltered leftists uncomfortable with Obrador or the people running his campaign, who included ex-PRI operatives who built their careers opposing democratic reforms.

“Obrador with his pride and arrogance and his feeling that he’s a Messiah” made no attempts to unify the left, says Alvaro Ochoa Serrano, a historian at the Colegio de Michoacán.

But the biggest bloc of voters were those who stayed home—more than 40 percent. Four million more Mexicans turned out for this race than voted in the watershed election in 2000, when Fox beat the PRI. But the possibility of fraud—especially within IFE, the most trusted institution in Mexican society—could change that trend. “I know many people who say they will never vote again,” says Gonzalez.

Mexico’s election laws and independent election commission are regarded as among the best in the Americas. International observers from the European Union and Global Exchange gave the election an overall good bill of health. But Global Exchange has now come out in support of recounting the 42 million ballots “because of the close result and the multiple inconsistencies alleged.”

Obrador has submitted a 900-page legal challenge to the election and is calling for a massive manual re-count of votes. Mexico’s Federal Election Tribunal must consider Obrador’s challenge before declaring an official winner, or nullifying the vote. They have until Sept. 6 to do so.

In the meantime, Obrador will do what he does best: call people to the streets.

—Linda Lutton

act now



WIRELESS BY THE PRESS

The Pilot, an independent newspaper based in Southern Pines, N.C., is bringing free wireless Internet access to the entirety of Moore County. Beginning in early July, transmitters will be installed at strategic points throughout the community. Wireless service will be accessible at no cost to subscribers and non-subscribers alike. Moore County, located about 60 miles south of Raleigh-Durham, is the poorest county in the state. “As a newspaper, we have a responsibility to give back,” says Eric “Zonker” Harris, the general manager of the campaign. “This is another way for us to provide a service to our community.”

Hastert's Earmarks: Pork or Politics?

IN JUNE, SPEAKER of the House Dennis J. Hastert (R-Ill.) made headlines twice. At the start of the month, he became the longest-serving Republican Speaker in history. But at month's end, he was answering questions about a land deal that netted him \$1.8 million. The land he'd sold was located five miles from a highway for which he'd earmarked \$207 million federal dollars.

That funding was a small part of a \$286 billion transportation measure that contained more earmarks than any federal transportation bill to date. When the bill was in final committee, Hastert placed in two earmarks to fund the Prairie Parkway—a north-south connector west of Chicago that runs through fast-growing Kendall County, which is in Hastert's district. President Bush signed the bill into law last August, and in December a land trust in which Hastert is a partner sold the property to a local developer.

When the Sunlight Foundation, a congressional watchdog group, broke the news about Hastert's profits from the land deal, it quickly became a national story about congressional corruption. But at the local level, Hastert's actions raise questions about how such projects are proposed, funded and completed—who controls the process, and who benefits. The Prairie Parkway earmarks are emblematic of just how undemocratic federal funding has become.

Hastert's earmarks funded two separate parts of the Parkway—\$152 million for the Parkway itself and \$55 million for one of the planned interchanges that will go in near Plano (and the property he sold). Hastert said the deal “has nothing to do with the Prairie Parkway. I owned land, and I sold it, like millions of people do everyday.”

Jon Purcell, chair of the Kendall County Board Highway Committee, also rejects the idea that Hastert did anything wrong. “That’s bullshit,” he says. “He got funding for a needed project. There’s no story there.” Purcell notes that Kendall County is the third fastest-growing county in the nation, and that many local residents and businesses have made similar profits over the past five years. Indeed, much of the debate over the Parkway centers around the growing suburbanization of

this former farming community.

Jan Strasma, one of the leaders of Citizens Against the Sprawlway, a community group opposing the Parkway, is concerned that almost all federal funds now come via earmarks. “The trouble with earmarks is that it makes congressmen into the planners and decision makers on projects, as opposed to people at the county and the state level,” Strasma says.

For Strasma, the Parkway has been driven by federal funds all along. Initial planning for the Parkway began in 1999, and a proposed corridor was selected in 2002. That same year, Hastert earmarked \$14.5 million for the environmental impact study. It appears likely that the new funds will insure the highway begins construction once the final impact study and route selection is complete.

For those who support the Parkway, this is exactly the benefit of using earmarks: Hastert's interventions have given the project regular bursts of federal funding to keep it on track.

“I think it would have been more devastating to not have earmarked money,” says Whitney French, executive director of the Plano Economic Development Corporation. “To invest 10 years in all this research, in all this legwork, analyze this corridor and then not go forward?”

Earmarks have become the fastest way to get money directly to local infrastructure projects. In mid-July, a *New York Times* investigation found that since 1998 the number of localities employing lobbyists to secure federal earmarks has nearly doubled—from 763 to 1,421. “If this is the method to get funding, if the way to get a hot dog is to go to the store and buy one, why would you go out and slaughter a pig?” French says. “It’s just the way everyone does it. If you don’t do it that way, you might not get the hot dog.”

When politicians and citizens who benefit from them talk about earmarks, there seems to be a reverse NIMBYism at work. Earmarks are troubling when they’re in someone else’s district, but when your town receives them, it means your representative has brought home the bacon. Bill Allison, senior fellow at the Sunlight Foundation who broke the story, says that earmarks sometimes please constituents, but they’re just as often sops to political supporters. They are designed so that other lawmakers, much less voters, do not have a chance to debate their merits.

“These lawmakers are buying votes with taxpayers’ own money,” Allison says. “It bypasses a democratic system with checks and balances, that has local governments, along with state and federal governments making decisions.”

—Phoebe Connelly



Construction continues at Chicago's first Wal-Mart store.

Bigger Salaries for Big Box Workers?

LIKE MANY PEOPLE, Pecola Doggett, 56, spent her early working years adjusting to the burgeoning service-sector economy. Whether fielding calls about magazine subscriptions, completing administrative work at local churches or monitoring elections at Chicago City Hall, Doggett earned poverty-level wages and struggled to combat the rising cost of urban living.

That's why when Costco, the nation's fifth largest retailer, opened up a store on the city's North Side, Doggett immediately applied. Unlike most of its competitors, Costco offers its employees a living wage and benefit plan, including full medical coverage. “When Costco came to Chicago, it was a blessing for many, especially those who endure the storm,” says Doggett.

Thousands of Chicago service workers may soon join Doggett in the ranks of the economically secure. As *In These Times* went to press, the Chicago City Council looked poised to pass an ordinance that would require big box retailers located within city limits to pay their employees a living wage. The legislation requires retail stores larger than 90,000 square feet that are owned by companies who sell \$1 bil-

lion in merchandise annually to pay their workers a minimum of \$9.25 an hour plus \$1.50 an hour in benefits beginning July 2007. By 2010, retail giants must offer their employees at least \$10 an hour with \$3 an hour in benefits, plus annual increases based on adjustments in the cost of living. Thirty-five current stores—including Wal-Mart, Home Depot and Target—would be affected, as well as all future developments.

The two-year campaign, spearheaded by a coalition of labor, community and faith-based organizations known as the Grassroots Collaborative, has widespread approval. Thirty-three of 50 aldermen have expressed support for the measure and Chicagoans have been even more receptive, with one poll showing 84 percent of residents in favor.

Yet inside city council, the ordinance has faced resistance from a select group of city officials, including Mayor Richard M. Daley. They argue that the ordinance will deprive the city of needed jobs and tax revenue by pushing retailers to resource-heavy suburban communities. John Bisio, Wal-Mart's Midwest director of public affairs, stoked this fear, claiming that Wal-Mart would "put the brakes on" the planned construc-

tion of 10 to 20 new stores within the city if the ordinance passes.

It's not the first time Wal-Mart has issued such an ultimatum. In January, the Maryland General Assembly passed a law requiring large employers to spend at least eight percent of their payroll costs on healthcare. According to Maryland State Delegate Herman Taylor, Wal-Mart immediately threatened to shut down a large distribution center in his district. A month later, however, Wal-Mart's CEO Lee Scott backed off, saying that "[Wal-Mart] will build more stores and create more jobs [in Maryland]."

The reality is that expansion is the lifeblood of retail giants, and populous cities represent an untapped market. "Wal-Mart and other large retailers absolutely need Chicago," write Annette Bernhardt, a professor at New York University School of Law, and Nik Theodore, a professor at the University of Illinois at Chicago, in a *Chicago Tribune* Op Ed. "Having built up in rural areas and suburbs to the point of overcapacity and stagnant sales, retailers are now hungrily eyeing cities."

Supporters believe that the ordinance makes economic sense, not only for big

box employees, but for Chicago taxpayers at large. A University of Illinois at Chicago study showed that the ordinance would save Chicago taxpayers \$40 million annually because affected employees will become less reliant on public aid.

Given the federal government's reluctance to raise the minimum wage—a Democratic plan to raise it to \$7.25 an hour was defeated in the Senate on June 21—the Grassroots Collaborative thinks that local pressure is the most effective way to bring high-paying jobs to Chicago. Other cities, such as Santa Fe, N.M., and San Francisco, have passed living wage bills with much success. In each location, job growth remained steady, the number of families on temporary assistance declined and price increases were negligible. Yet neither city compares in size or economic complexity to the nation's third largest city.

A success in Chicago would set a precedent for living wage campaigns nationwide. "Chicago is not an anomaly to think that we can force businesses to pay fair wages to its workers," says Ken Snyder, the Grassroots Collaborative coordinator. "The sentiment exists in lots of places."

—Adam Doster

appall-o-meter

3.0 A House Divided

In the annals of middle-aged doctors who divorce their wives, Nicholas Bartha of Manhattan will go down as the batshit craziest, and possibly the most tragic.

After a vicious and costly battle, the cardiologist was compelled to sell his beloved townhouse, a historical landmark on the Upper East Side. But Bartha had another plan. He composed a suicide e-mail, which he sent to his wife and a list of notables that included, inexplicably, Gov. Arnold Schwarzenegger. In it, Bartha berated his wife for, among other things, refusing to abort one of their children. After railing at other bugbears like Jane Fonda and Cindy Sheehan, Bartha informed his wife: "You will be transformed from golddigger to ash and rubbish digger. You always wanted me to sell the house. I always told you, 'I will leave the house only if I am dead.'"

After sending the note, Bartha hooked up some plastic tubing to his basement gas meter and proceeded to blow up the four-story house.

Alas, Bartha failed in both his objectives. He survived the blast and is in

critical condition. And according to the *New York Post*, Bartha's act only made the property more valuable—"a developer's dream," as one broker put it. No demolition costs, no lengthy process to evict tenants or to get around historic preservation laws. Another broker opined that what was a \$9 million house could become a \$15 million pile. And Mrs. Bartha still gets her cut.

1.4 The Sticky Wiccan

Sgt. Patrick D. Stewart became the first Wiccan to give his life in the service of the United States when his helicopter was shot down in Afghanistan. But according to the *Washington Post*, the Nevada guardsman's neopagan faith is too controversial for the Veterans Memorial Cemetery of Fernley, Nevada. Officials there refuse to acknowledge Stewart's religious affiliation on a plaque commemorating local war dead.

The U.S. military recognizes Wicca as a legitimate religion. Some 1,800 of Stewart's coreligionists are in uniform, the *Post*



reports. Yet the sticking point for cemetery officials seems to be the Wiccan symbol, the pentacle, the upside-down star in a circle long associated with Satanism and Goth teen angst. It just wouldn't do among all those crosses.

5.3 The War On Chee-Wee

"For some reason New Orleans chooses to coddle criminals in that area that tend to get away with a great deal," Sheriff Jack Strain of St. Tammany Parish, La., told reporters in June, somehow restraining himself from using the word "nigras." "If they come to St. Tammany Parish, we're going to pursue them, we're going to arrest them ... and our judges are going to convict them."

"[I]f you're gonna walk the streets of St. Tammany Parish with dreadlocks and chee-wee hairstyles, then you can expect to get a visit from a sheriff's deputy. ... We're going to deal with you one way or the other."

—Dave Mulcahey

Blowing the Whistle on Diebold

ON JULY 13, the Pensacola, Fla.-based law firm of Robert F. Kennedy Jr. filed a “qui tam” lawsuit in U.S. District Court, alleging that Diebold and other electronic voting machine (EVM) companies fraudulently represented to state election boards and the federal government that their products were “unhackable.”

Kennedy claims to have witnesses “centrally located, deep within the corporations,” who will confirm that company officials withheld their knowledge of problems with accuracy, reliability and security of EVMs in order to procure government contracts. Since going into service, many of these machines have been linked to allegations of election fraud.

In the wake of alleged vote count inconsistencies and the “hanging chad” debacle of 2000, Congress passed the Help America Vote Act (HAVA) in 2002. HAVA appropriated \$3 billion to replace voting equipment and make other improvements in election administration. Diebold, Election Systems & Software and Sequoia Systems secured the lion’s share of \$300 million in contracts to purchase EVMs. All 50 states have received funds and many are hurriedly spending it on replacing lever and punch card machines in time for November.

According to the Election Assistance Commission, more than 61 percent of votes in the 2004 presidential election were cast and/or tallied by EVMs. Election Data Services, a Washington, D.C.-based consulting firm, estimates that the figure will jump to 80 percent by November, which will see elections for all 435 seats in the House of Representatives.

Matt Schultz, an attorney with Kennedy’s law firm, Levin Papantonio, describes the process of competition for HAVA’s \$300 million of contractor funds as “a race to the bottom.” “There is no question in my mind that these companies sacrificed security and accuracy, mass-producing a cheap product to cash in on tons of federal money,” Schultz says. “It’s an industry-wide problem.”

Qui tam lawsuits stem from a provision in the Civil False Claims Act, which Congress passed in 1863 at the behest of President Abraham Lincoln to respond to price gouging, use of defective products

snapshot



SRI LANKA—A member of the Liberation Tigers of Tamil Eelam (LTTE) in rebel-held Kilinochchi while on maneuvers. June peace talks with the Sri Lankan government failed, and a LTTE suicide bomber killed Deputy Chief of Staff of the Sri Lanka Army Major General Parami Kulatunga on June 26. Violence is ongoing. (Photo by Lakruwan Wanniarachchi/AFP/Getty Images)

and substitution of inferior material by contractors supplying the Union Army. The provision allows private citizens to file a suit in the name of the U.S. government charging fraud by government contractors and other entities that receive or use government funds.

Long known as “Lincoln’s Law,” it is now commonly referred to as the “Whistleblower Law.” Since the mid-’80s, qui tam recoveries have exceeded \$1 billion, mostly after exposing medical and defense overcharging.

Mike Papantonio, partner in the law firm and co-host with Kennedy on “Ring of Fire,” a weekly radio show on the Air America Network, explains the value of the qui tam approach. “The problem with injunctive relief, or [a writ of] mandamus, or prohibition-type writs, is it all comes down to politics. ... How do you bring injunctive relief with [Ohio Secretary of State Kenneth] Blackwell? How do you get [Florida Governor] Jeb Bush to do anything? They won’t. You have to move outside of that political realm.”

In 2004, Blackwell was in charge of implementing state and federal election laws, while, at the same time, co-chairing

the state’s 2004 Bush/Cheney Campaign. Under his watch, election officials neglected to process registration cards from Democratic voter drives, purged tens of thousands of voter registrations and distributed EVMs unevenly, leaving some voters waiting up to 12 hours. According to Kennedy, “at least 357,000 voters, the overwhelming majority of them Democratic, were prevented from casting ballots or did not have their votes counted.” Ohio was decided by 118,601 votes.

The contents of the suit could be under judicial seal for at least 60 days while the U.S. Department of Justice considers whether or not to join the suit. If U.S. Attorney General Alberto Gonzales decides not to join the suit, Levin Papantonio may approach individual state attorneys general. If no one joins, the firm is free to, as Papantonio puts it, “stand in the shoes of the Attorney General and fight on behalf of the taxpayers and the nation.”

“The single greatest threat to our democracy is the insecurity of our voting system,” warns Kennedy. “Whoever controls the voting machines can control who wins the votes.”

—John Ireland

BY SUSAN J. DOUGLAS

Enough With the Celebutantes!



THERE WE ALL are, waiting in the checkout line to buy dinner. (My version of the South Beach Diet™: a can of tuna and a 2.5 liter jug of Sauvignon Blanc.) We cannot escape. We must walk through the gauntlet of magazine racks, a highly compressed and unavoidable photo gallery, their faces and bodies dominating every publication. They demand to be looked at, wondered about and envied: the celebrities of America.

On this particular evening, we are confronted by *The Enquirer* cover that features the “Best and Worst Beach Bodies” illustrated by overweight celebs in swimsuits and, most humiliating of all, the “Cellulite Hall of Fame.” Next to this is the recently reincarnated *Star*, whose fluorescent yellow headline screams “Skinny S.O.S: Stars’ Scary New Affliction—Foodophobia, And It’s Contagious!” The body-patrolling covers of these rags offer weekly tutorials for girls and women on the narrow line they must walk between being too fat and too thin. Could a week go by without at least one celeb-azine pitting Angelina Jolie against Jennifer Aniston? (Between January and September 2005, Jolie, Brad Pitt or Jennifer Aniston were on the cover of *In Touch* 33 times.)

In the olden days (the ’90s), one would find *Glamour* and *Vogue*, even *Newsweek* or *Time*, on the checkout aisle racks. Now, only the warring celebrity magazines pay for those up front positions: the old warhorse *People*, embattled now by *Us Weekly*, *In Touch*, *Inside TV*, the newly celebritized *TV Guide*, the upstart British import *OK!*, and, of course, *Star* and *The National Enquirer*. I imagine that most of us in line feel like a Strasbourg goose, funnel down the gullet, being force-fed an unrelenting stream of sexist commercial swill.

Gossip, celebrity obsession and celebrity worship have become the herpes of the mass media, blistering previously celebrity-free media zones like the news. In the first half of 2005 alone, *US Weekly*’s paid circulation increased 24 percent, to 1.7 million, the *Star*’s increased 21 percent to 1.4 million, while *People* led the pack at 3.7 million. VH1, which used to show music videos by non-headbanger bands, now packs its schedule with “Celebrity Fit Club 3,” “Celebrity Showdown 2,” and “40 Greatest Celebrity Feuds.” Celebrity-watching blogs, particularly those with an ironic stance such as Gawker and Pink is the New Blog, have a large and devoted following, especially among young women.

Those of us in the chattering classes may focus on national

and international politics for our conversational and psychic grist. But we are not the target market for celebrity culture, our daughters are. And while many of them are not dupes and take pleasure in making fun of celebrities—especially the PR and spin processes by which celebrities seek to stay in the public eye—the messages about women’s proper roles remain insidious and ensnaring.

Celebrity culture, wrapped in the shiny cellophane of sex, love, scandal and conspicuous consumption, seems libertine and liberal on its surface, but it is conservative to its core, especially for women. Under the guise of female success and empowerment, celebrity culture has become a central implement in the backlash against women and the ongoing production of post-feminism. The dominant practice of celebrity culture is to police the weight, faces, hair styles

and clothing choices of female celebrities, insisting that a woman, no matter how accomplished, merits only ridicule if she has not scrutinized herself obsessively and calibrated her appearance perfectly.

And the baby fixation, particularly the telephoto surveillance of celebrities’ “bumps,” real or imagined, combines the creepiness of stalking with the creepiness of government spying. (If, like Reese Witherspoon, a telephoto shot of you in a bikini shows a stomach that is not washboard flat, you must be pregnant; if not, as in Witherspoon’s case, “it’s time to hit the gym” warns *Star*.) Like their celebrity nebula, women are supposed to obsess about their bodies and especially about having babies, babies, babies to the exclusion of work or, really, anything else.

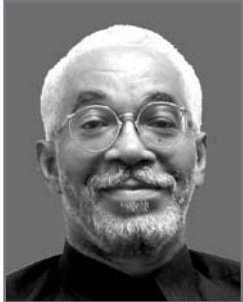
The relentless manufacture of celebrity culture has the earmarks of a business plan directed at young women. The gaping, gluttonous maw of 24-hour cable television, with its competing, insatiable programs, needs to be constantly crammed; celebrities are the krill. This has required more frenetic production of celebrities, which includes the plucking out of ordinary people and manufacturing them into stars. As the fantasy of rising above “the herd” becomes less implausible, the herd itself becomes even more despicable.

Of course celebrity culture is insidious because it diverts our attention from the real arenas in which decisions about people’s lives are made or, more often, neglected. Celebrity culture justifies the growing gap, in the United States, between the super rich and everyone else. And precisely because it seems so trashy, evanescent, insignificant and even fun, it is the Trojan horse in the ever-expanding arsenal of anti-feminism in the United States. ■

Gossip and celebrity obsession has become the herpes of the mass media, blistering previously celebrity-free zones like the news.

BY SALIM MUWAKKIL

A Terrifying Distraction



THE ARREST OF seven men in Miami last month on specious terrorism charges smells strongly like a case of governmental entrapment. The men, six of whom are of Haitian descent, allegedly planned to blow up various targets—including government buildings and the Sears Tower in Chicago—but officials found no plans, explosives or any equipment whatsoever that could be used to effect the plot. In fact, the FBI informant who infiltrated the

group posing as an al-Qaeda representative is the one who initiated the idea of blowing up government buildings.

The seven men are charged with two counts of conspiring to support a foreign terrorist organization, one count of conspiring to destroy buildings by use of explosives and one count of conspiring to wage war against the government.

The indictment contains no indication of an overt criminal act, except swearing an “oath of loyalty to al-Qaeda,” and taking pictures of FBI headquarters in Miami. The plot “was more aspirational than operational,” said FBI Deputy Director John Pistole at a news conference announcing the men’s arrest. In other words, the men committed a “thought crime,” the infamous offense lampooned in George Orwell’s novel *1984*, which the U.S. Constitution protects us against. Even worse, an agent provocateur implanted the thought.

The seven men are Narseal Batiste, Patrick Abraham, Stanley Phanor, Naudimar Herrera, Burson Augustin, Lyglenson Lemorin and Rothschild Augustine, and they range in age from 22 to 32. Batiste, 32, is the group’s ringleader. Family members and friends say the men were part of a group seeking to better conditions in their impoverished Liberty City neighborhood and had no connection to al-Qaeda.

By making the connection, the Bush administration is conflating the activities of those fighting the legacy of slavery with those struggling in colonialism’s wake. This is not a random linkage; Mike Brooks, a law enforcement analyst for CNN, revealed on the June 22 edition of “Anderson Cooper 360” that, “on June 13, the FBI, Department of Homeland Security, put out a call, an information bulletin, ‘Black Separatism a Volatile Movement of Node—Node of Domestic Radicalization.’”

According to Brooks, the bulletin named “the Nation of Islam, New Black Panther Party, ... the New Black Panther Nation and Five Percenters” as groups of current concern

to law enforcement. The focus on black nationalists is a reprise of the FBI’s infamous COINTELPRO program that ran from 1956 to 1971 and was designed to “neutralize” black nationalists and other domestic dissidents.

The program was discontinued in 1971, after a Senate committee found that “many of the techniques used would be intolerable in a democratic society even if all the targets had been involved in violent activity, but COINTELPRO went far beyond that.”

The U.S. government historically has regarded Black Nationalism as a threat because it challenges the white supremacist biases that frame much of American society.

Some nationalists also infused Islamic imagery and terminology into their programs to counterpoint what many considered the “enslaving” religion of Christianity. Orga-

nizations like Noble Drew Ali’s Moorish Science Temple of America (begun in Newark, N.J., in 1913) and Elijah Muhammad’s Nation of Islam (Detroit, circa 1931) explicitly rejected organized Christianity. Since self-professed Christians perpetrated the racist

oppression suffered by black people, these groups claimed Islamic pedigree. But their race-based belief systems bore little resemblance to mainstream Islam.

According to associates, the Miami Seven were acolytes of Ali’s Moorish Science Temple, although they weren’t formally affiliated. That distinction didn’t prevent the media from branding them “radical Muslims,” implying they shared the ideology of al-Qaeda.

Attorney General Alberto Gonzales said the group, which neighbors said called itself “Seas of David,” conducted surveillance of several federal office buildings in Miami and discussed bombing the Sears Tower in Chicago. He said they took an oath to al-Qaeda and plotted to create an “Islamic Army” bent on “killing all the devils we can.”

The al-Qaeda impersonator, who, according to the CBS-affiliated television station in Miami, was a Middle Eastern native seeking U.S. residential status by aiding the FBI, wrote the “oath.” He also suggested exploding the FBI buildings, supplied the camera and rented the vehicle to take surveillance photos of the Miami office.

This is a case of governmental entrapment, even more threatening than the NSA spying program. Predictably, the American people, even progressives, seem oblivious to this threat. African Americans should be particularly vigilant about this COINTELPRO re-run in the name of the war on terrorism. ■

The FBI’s arrest of seven supposed terrorists in Miami last month is a case of governmental entrapment even more threatening than the NSA spying program.

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LAURA S. WASHINGTON

Go on, Amend Away



PATRIOTISM IS THE last refuge of a scoundrel,” opined 17th century writer and critic Samuel Johnson.

Scoundrels abound in the perennial campaign for a constitutional amendment to outlaw the desecration of the American flag. The latest salvo, which failed to pass the U.S. Senate last month by one vote, bore telltale fingerprints of the Republicans’ politically astute chief scoundrel, Karl Rove.

The measure failed the Senate by a vote of 66 to 34. A constitutional amendment must pass by a two-thirds vote in both houses of Congress. Rove and Co. are already taking names.

They know that the flag burning amendment has zero to do with substance and everything to do with politics. Republicans are trying to jam Democrats on a distracting non-issue, bound to paint any Democrat who nixed the bill

as a flag-burning-commie-pinko. The Democrats, however, are even bigger scoundrels—for falling for it. Only 14 Democratic senators supported the would-be 28th Amendment. Every single Dem should have. I say, give it to ’em—and wrench this silly idea off the flagpole forever.

In 1989, the U.S. Supreme Court ruled that burning the American flag is protected under our constitutional right to free speech. Since then, conservatives have repeatedly pushed for the extraordinary step of amending the U.S. Constitution to protect the red, white and blue. All I see is red—a red herring that the Republicans have resurrected so many times that it smells like three-day-old trout.

The marriage amendment, Internet gambling, abortion rights, the Pledge of Allegiance. These “causes” are not aimed at changing policy, but at revving up electoral turnout.

During the run up to the most recent vote, the measure’s sponsor, Utah Republican Sen. Orrin Hatch, said: “Is this the most important thing the Senate could be doing at this time? I can tell you: You’re darned right it is.”

Duh. Can anyone out there help me out with a few things the senator might have overlooked?

During the Senate debate that preceded the vote, Sen. John Cornyn, a Texas Republican, attacked the Godless liberal intelligentsia. “What becomes of a country that has no special symbols, that somehow over the passage of time has deemed itself too sophisticated, too intelligent, too cynical

to be choked by emotion when our flag is raised or when the pledge is spoken or when our national anthem is sung?”

Duh again. Has he been to a baseball game lately?

For progressives, the flag debate is an opportunity to achieve political maturity. Let’s focus on issues, not symbols. If the Democrats get sucked into a debate about who is the most patriotic, they’re dead.

We know all the arguments about protecting free speech. But we also know that the spoken words of this Republican administration—and even more important, its acts—have already done much to dishonor the stars and stripes.

The supporters of this ban are big on symbolic causes that can be used as cudgels to clobber anyone who attempts an intelligent, nuanced position.

For example, Sen. Dick Durbin of Illinois posited a reasonable end-run around the ban. Suggesting that that U.S. Supreme Court was likely to knock down the amendment, Durbin pitched a measure that would have criminalized the desecration of the flag. The Senate promptly shot that down, 64

**Let’s focus on issues, not symbols.
If the Democrats get sucked into
a debate about who is the most
patriotic, they’re dead.**

to 36.

Even if a constitutional amendment wins a nod from Congress, it still must be approved by three-quarters of all the states. Since 19 states are firmly ensconced in the land of blue, that’s not going to happen anytime soon.

So let’s get this one off the table for good. I predict that like clockwork, the scoundrels will dig up their dream amendment once again in 2008, just in time for the presidential wars as a Rovian litmus test for Democratic contenders.

When that happens, the Democrats should gleefully push it right through Congress, then let the Republicans carry the water in the 50 states. They’ll waste a lot of time and resources and the measure is sure to fall to an ignominious death in America’s statehouses.

Hillary Clinton has figured that one out. Clinton, who voted for the ban, has been a longtime co-sponsor of Durbin’s criminalization proposal. She argued that Durbin’s plan was an acceptable compromise that could protect the flag without messing with the Constitution.

Hillary has been pilloried by the left for the crime of pragmatism. Critics cite the position as just another one of her trademark machinations aimed at setting herself up for a 2008 presidential run. They may call Clinton many things, but they will never call her stupid. That’s why she’s so good. She hit the nail on the head on this one.

Stars and stripes forever. Democrats, let’s reclaim the flag. ■

THE FIRST STONE

BY JOEL BLEIFUSS

If the Paint Sticks, Sling It



PERHAPS YOU HAVE thought, “If the voters knew how venal a GOP member of Congress was, they could never get re-elected.”

MoveOn is testing that proposition with a public service ad campaign that targets four

Republican candidates whose votes in Congress have put special interest profits before the public good. “Caught red-handed” is the moniker for a series of MoveOn TV ads that expose the lawmakers’ fealty to the corporations that fund their campaigns.

MoveOn PAC Director Eli Pariser puts it this way: “The most visible and insidious form of corruption is the form that is also legal, and that is the money politicians take from big companies and the votes that they give in return to help those companies out.”

Take, for example, Rep. Deborah Pryce, the fourth ranking GOP leader in the House. She represents suburban Columbus, Ohio, and was on the receiving end of this ad:

(On Screen: a dossier file and a photograph of Rep. Pryce.)

Announcer: Congresswoman Deborah Pryce—she accepted more than \$100,000 from energy companies and she voted against bills that would have penalized those companies for price gouging.

(On Screen: a series of black-and-white photographs of Rep. Pryce.)

Announcer: Instead of protecting us, Congresswoman Pryce has been caught red-handed, protecting oil company profits while we pay more at the pump.

(On Screen: a close-up of Rep. Pryce’s hand in one of the photos as an invisible brush paints her hand red.)

Announcer: Tom DeLay, Dick Cheney, Jack Abramoff. And now Deborah Pryce. Another Republican caught red-handed.

(On Screen: Pictures of DeLay, Cheney and Abramoff flash across the screen, all with red-stained hands.)

To help the Democrats pick up 15 seats and gain control of the House, MoveOn PAC decided to concentrate not on the hotly contested races but on second-tier races where Republican incumbents had a good, but not insurmountable, lead in the polls.

Besides Rep. Pryce, MoveOn has set its sights on Rep. Nancy L. Johnson (R-Conn.), Rep. Thelma Drake (R-Va.), and Rep. Chris Chocola (R-Ind.). Each has been confronted with three waves of ads. The first, which aired in early April, focused on the votes that protected energy corporations from price gouging, as mentioned above.

The second ad concentrates on votes by the four that prohibited the federal government from negotiating lower prices with the drug companies. The ad aimed at Rep. Johnson shows a grandmotherly figure empty a pill bottle into her hand as the voiceover says, “Seniors relied on her. Yet Congresswoman Johnson accepted \$400,000 from big drug companies and got caught red-handed voting for a law that actually prevents Medicare from negotiating lower drug prices for our seniors.”

The third takes the representatives to task for votes against a bill that would have instituted criminal penalties against war profiteers like Halliburton. As a fist-full of money changes hands, a voice over reads: “Congresswoman Thelma Drake accepted \$25,000 from defense contractor PACs. Then she opposed penalties for defense contractors like Halliburton who overcharged the military in Iraq at a time when

soldiers didn’t have enough body armor.” Indeed, in March, Drake voted against a Democratic bill that would have blocked firms that had been found to overcharge the government by \$100 million or more from receiving any further contracts.

The targeted Congress members are crying foul.

In Indiana, Rep. Chocola expressed his anger that the ads have implicated him in voting in the interests of big oil, which contributed \$80,000 to his campaigns, and the pharmaceutical industry, which has contributed \$48,500. He denounced MoveOn as “a radical group that does not share the views or values of the people of the 2nd district.”

In Connecticut, Rep. Johnson hit back with an ad attacking MoveOn: “A radical group whose ads have been called ‘shameful’ and misleading’ is at it again. ... this group compared America’s leaders to Nazis.” That Nazi comment refers to one of 15,000 ads submitted in 2004 to the MoveOn.org Web site as part of a contest. The ad was subsequently taken down by MoveOn.

Rushing to the defense of the GOP incumbents, the Republican National Committee went on the offensive on June 9, apparently supplying the Pryce, Drake and Chocola campaigns with text for a letter that the campaigns could send to stations that ran MoveOn’s ads.

The letter Drake for Congress sent stations read in part:

The newest ad attacks Congresswoman Drake personally for allegedly protecting war profiteers and goes on to implicitly accuse the congresswoman of taking bribes. These ads are reckless, malicious and false, casting Ms. Drake in a false light by accusing him [sic!] of unsubstantiated criminal conduct. We also believe the republication of these allegations by your or-

ganization ... subjects your organization to the same potential liability for defamation as MoveOn.org.

In Virginia, Cox Communications, citing “business risks,” agreed to stop running the ad attacking Rep. Drake. Thom Prevette, a Cox Communications spokesman and vice president, told Norfolk’s *Virginian-Pilot*, “In this case, it’s prudent for us to discontinue running those ads for business reasons.” Uh huh? Turns out that in 2004, Prevette contributed \$500 to Drake’s campaign, as did another Cox Vice-President, Franklin R. Bowers.

And in Indiana, South Bend’s WSBT-TV, a CBS affiliate, pulled the ad attacking Rep. Chocoma, while in Connecticut, Hartford’s NBC affiliate WVIT refused to take the ad. No conflicts of interest to report there—yet.

But the GOP had its greatest success cowering the media in Columbus, Ohio.

Two Sinclair-owned stations, the ABC-affiliate WSYX-TV and the Fox affiliate WTTE-TV, pulled the ads. In response, MoveOn’s Pariser issued this statement: “Isn’t it ironic the Swift Boat Veterans can lie on Sinclair-owned affiliates, but the public is shut out from learning information in the public record about Rep. Pryce?”

And the GE/NBC-affiliate in Columbus WCMH-TV declined MoveOn’s ad dollars as well. According to a spokesman, the station “in consultation with legal counsel, made the decision not to accept the ad.” During the 2004 election, WCMH-TV did accept ads from the Swift Boat Veterans.

The Time-Warner cable station WSYX-TV in Columbus also refused to run the anti-Pryce ads. Turns out, Time Warner Cable’s Columbus Division president Rhonda Fraas has contributed a total of

\$2,000 to GOP candidates in Ohio since 2003. So much for the liberal media.

Yet the most glaring conflict of interest involves WBNS-TV in Columbus, where General Manager Tom Griesdorn pulled the ad that attacked Rep. Pryce for protecting the oil industry from price gouging legislation and that linked her to convicted lobbyist Jack Abramoff.

porting WBNS-TV’s conflict of interest, the *Columbus Dispatch* has let stand Pryce for Congress’ claim that the congresswoman “has no connection whatsoever” to Abramoff. But, as the paper reported last year, Rep. Pryce has received \$8,000 in donations from a Michigan Indian tribe represented by Abramoff (she returned the money fol-

Eli Pariser says MoveOn is trying to find out: “How do you take the issue of corruption and tie it to the politicians that we need to beat in November?”

Rep. Pryce heralded the move, saying that her constituents “no longer will ... be inundated by these slanderous, negative attacks ads run on behalf of my opponent.” Griesdorn explained to the *Columbus Dispatch*, “In the end I deemed it was defamatory because the allegations could no longer be defended to the satisfaction of our attorneys.”

But was it the satisfaction of the attorneys he was concerned about? According to federal campaign finance records, John Wolfe, the CEO of the Dispatch Media Group, the corporation that owns WBNS-TV, has donated \$3,000 to the GOP since 1998. That is nothing compared to his wife Ann, who since 1998 has contributed \$48,100 to the Republican cause, including \$2,100 to Rep. Pryce, who along with the Wolfes resides in the tony Columbus suburb of Upper Arlington.

Wolfe’s Dispatch Media Group also owns the *Columbus Dispatch*, the region’s main newspaper, which has been less than zealous in covering the controversy over the MoveOn ads.

For example, in addition to not re-

lowing the lobbyist’s legal troubles) and she has held fundraising parties at Signatures, a Washington, D.C. restaurant that Abramoff owned and where the fundraising operations Pryce controls spent more than \$13,000 dollars.

Despite resistance from GOP affiliated media, the “caught red-handed” campaign seems to be working. In Connecticut, a survey taken in Rep. Johnson’s district found that, following the ads, her share of the vote dropped from 47 to 41 percent, while her Democratic opponent Chris Murphy’s share of the vote rose from 46 to 51 percent—an 11 percentage point shift. Similarly, in Virginia, Thelma Drakes’ 51 to 42 percent lead in the polls shrank to a 46-46 tie with challenger Phil Kellam—a 9 percentage point shift.

MoveOn set out on this campaign, in the words of Pariser, to find out: “How do you take the issue of corruption and tie it to the politicians that we need to beat in November?”

The answer: Paint their hands red, for all to see. ■



PHOTOS COURTESY OF MOVEON.ORG

CAPITAL CRIMES

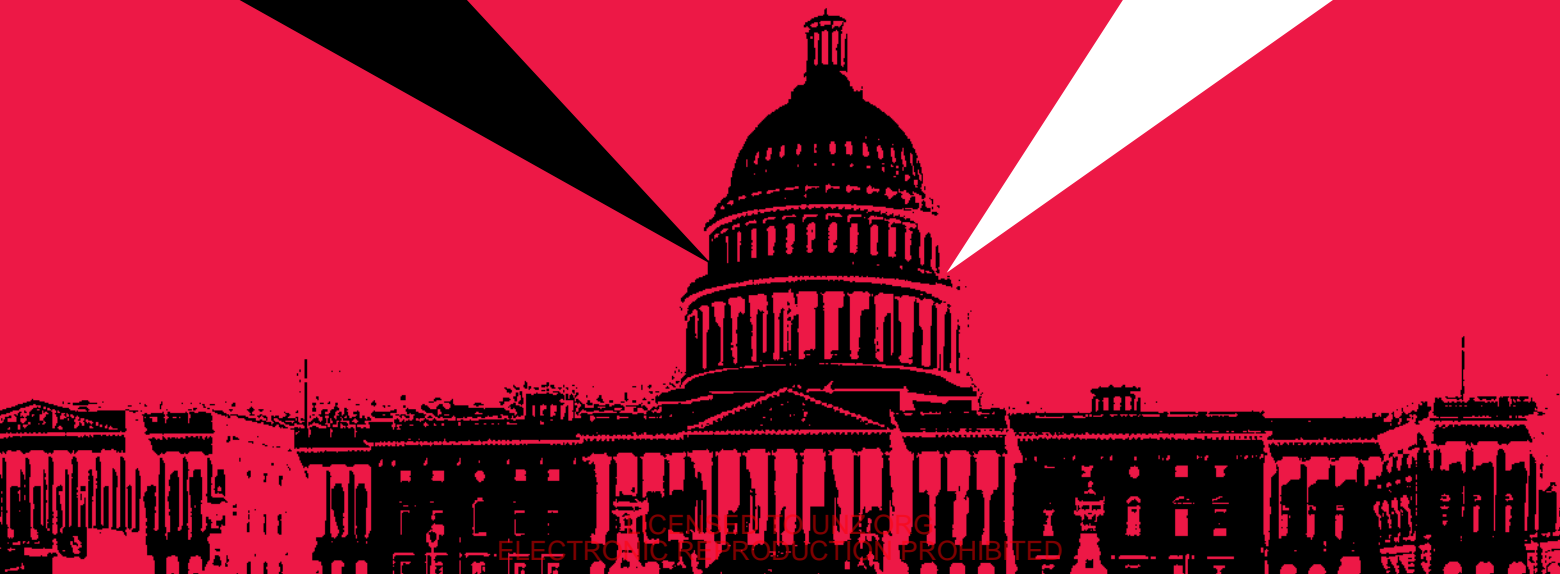
HOW OUR CURRENT CAMPAIGN FINANCE SYSTEM BREEDS
POLITICAL CORRUPTION!

BY CONOR KENNY

The irony of the ongoing federal corruption investigations striking fear into the hearts of members of Congress is that nearly everyone who has gone to jail, been indicted or served with a subpoena could have gotten away with it. Under the current campaign finance system, there is more than enough perfectly legal graft to fund all the five-star restaurant dinners and jet

trips to luxury golf resorts that a legislator could desire, and still have enough left over to finance a winning reelection campaign for a job that offers a \$165,000 salary, healthcare plan and generous pension.

These perks can be funded by perfectly legal campaign contributions as long as they are written off as "campaign expenses." And every day members of Congress collect checks from those eager to gain influence. It is a testament to the hubris and greed of those caught up in this year's scandals that they



cross the line between such “legal bribery” and the straight-up bribery of promising legislative favors for bundles of cash.

While federal campaign finance laws severely restrict what you can give directly to a candidate, virtually nothing restricts individuals from going out and collecting massive amounts of other people’s money for delivery to a single candidate.

The first people to really figure this out were those on the team charged with raising a presidential campaign war chest for then-Governor George W. Bush big enough to scare off any challengers in the primary election. In a visionary development, the campaign created a sophisticated system by which they recruited surrogate fundraisers and then tracked their progress. Those who raised at least \$100,000 for the campaign were awarded the title of “Pioneer.” The system was so successful that in the 2004 campaign a special “Ranger” designation was created for those uber-fundraisers who brought in more than \$200,000.

Unfortunately, the cachet that comes with being publicly recognized as a friend and financier of the potential president-to-be was too marketable for those influence peddlers for whom access is the ultimate tradable commodity. These men—they are overwhelmingly men—were not the wealthy true believers like real estate mogul and Ranger Alex G. Spanos, or even industrialists seeking a lighter regulatory hand like the late Enron CEO and Pioneer Kenneth Lay. No, this breed saw fundraising as an explicit part of their business model. They either sold this access to others or used it for themselves, but it was always a good investment, generating returns rarely seen in the stock market.

Not surprisingly, many from the ranks of Bush’s Pioneers and Rangers would end up on the wrong side of the law in the current bribery scandals. A year and a half after the president’s second inauguration, at least nine of his fundraisers find themselves under investigation, indictment or convicted of state or federal crimes; five of them for offenses specifically related to their political activity or exploiting the access that came with it. Super-lobbyist and convicted felon Jack Abramoff is Exhibit A. [See accompanying sidebars.]

captain jack

“CAPTAIN JACK”

SUSPECT: Jack Abramoff

STATUS: Convicted

LEVEL: Pioneer



Despite Bush’s claims that he didn’t know Jack, Abramoff recently claimed a close familiarity with the president, writing, “The guy saw me in almost a dozen settings, and joked with me about a bunch of things, including details of my kids.” In fact, Secret Service logs released in July show that in the months after Bush was elected, Abramoff came to the White

House at least six times.

Abramoff started out as a conservative activist, but eventually left for the private sector because, he said, “I wanted to make money.” That he did, most of it (\$66 million over three years) as a lobbyist for Indian tribes seeking casino permits whose leaders he privately called “troglodytes” and “the stupidest idiots in the land.”

His fortunes took off in 1994, when the Republicans took over Congress and Grover Norquist and Tom DeLay initiated the “K Street Project,” which skated right up to the edge of legality. Essentially, K Street lobbying

firms would hire lobbyists hand-picked by the Republican leadership, who would then encourage their clients to contribute to Republican congressional campaigns and even lean on congressmen who were bucking the leadership’s wishes on a particular vote. In return, the firms were granted legislative favors sought by their clients and were able to increase their billing rates by demonstrating their enormous access. When a K Street firm hired Abramoff—less than a week after the 1994 election—DeLay’s chief of staff made a point of telling the *National Journal*, “He is someone on our side. ... [H]e has access to DeLay.”

But making fundraising and lobbying an active part of your legislative strategy has its consequences. In a *New York Times* interview, Abramoff put it aptly: “I just don’t think members of Congress for the most part sell their votes ... generally speaking, that is.” But the exceptions—when members of Congress can be leveraged due to their reliance on their surrogate fundraisers—make the difference between the “legal bribery” of campaign contributions and the straight-up bribery of a quid-pro-quo.

Abramoff crossed that line, pleading guilty in January to fraud, tax evasion and conspiracy to channel gifts, trips and campaign contributions to members of Congress.

"THE EARMARKER"

SUSPECT: Brent Wilkes

STATUS: Under Investigation

LEVEL: Pioneer



Part capitalist, part government contractor and part lobbyist, Wilkes was an expert in obtaining federal contracts for small defense companies in exchange for a large contingency fee or control of the company. To facilitate the process, Wilkes set up his own personal lobbying firm to convince members of Congress to specifically mandate the contracts through amendments to the appropriations bills. These amendments, called earmarks, are what Rep. Jeff Flake (R-Ariz.) describes as the "currency of corruption." The problem is that, according to the guilty plea of Rep. Randy "Duke" Cunningham (R-Calif.), Wilkes didn't do it legally.

Like Abramoff, Wilkes first hit the big time in 1994 with the Republican takeover of Congress. He started by befriending Cunningham as a campaign contributor, steering him what the *San Diego Union-Tribune* estimates was \$71,500 in campaign contributions, before moving on to outright bribery with a \$100,000 payment

in 2000 and a \$525,000 mortgage payment in 2004, according to Cunningham. In exchange, Cunningham says he steered Wilkes his first contract for \$1 million in 1997, starting a bonanza for Wilkes that would eventually reach \$80 million in defense contracts.

Federal prosecutors allege that one project, which earned Wilkes' company a profit margin as high as 800 percent, kept getting approved by dismayed Pentagon officials because Cunningham repeatedly "browbeat" them into doing so, in at least one case trying to get an official fired because he had refused.

Wilkes branched out beyond Cunningham in 2002 by hiring the expensive services of the Alexander Strategy Group, a lobbying firm at the center of the K Street Project run by former aides to Tom DeLay. The group, which shut its doors in January in the wake of the Abramoff investigations, had a pitch that one lobbyist told the *Congressional Quarterly* was "either you hire me or DeLay is going to screw you."

Wilkes success in the earmark business helped him net a \$1.5 million home in California, a \$283,000 house in Virginia, a chauffeured Mercedes, yearly retreats to Hawaii and a Hummer with the vanity plate "MIPR ME"—Military Interdepartmental Purchase Requests, i.e. defense earmarks. He has yet to be formally charged, but prosecutors say their investigation is continuing.

The lure of the golden rolodex

On Jan. 25, three weeks after Abramoff pleaded guilty to conspiracy to bribe members of Congress and less than two months after Rep. Randy "Duke" Cunningham (R-Calif.) pleaded guilty to taking bribes from a defense contractor and lobbyist, a Senate committee meeting on ethics reform elicited a rare moment of brutal candor. The meeting, held at the height of the public uproar over the Washington scandals, showed that the surrogate fundraising system has spread to Congress.

In the middle of a discussion about several small-bore proposals to ban members of Congress from accepting gifts of meals and trips from lobbyists, Sen. Dick Durbin (D-Ill.), the minority whip, pooh-poohed such considerations as "carping on trifles."

"Why is it that we warm up to all these lobbyists?" Durbin asked. "It isn't for a meal. ... We know when it comes time to finance our campaigns, we're going to be knocking on those same doors."

Sen. George Voinovich (R-Ohio) agreed. "It's out of control," he said. "We all hate it. And it's about time we collectively think about how we can get off the treadmill."

The treadmill Voinovich was referring to is the relentless fundraising needed to run a modern political campaign. According to the Center for Responsive Politics, in 2004 the average winning House campaign cost \$1 million, a winning Senate campaign \$7.2 million and President George W. Bush's successful reelection a whopping \$345 million. In the 2004 election, 1,403 congressional candidates raised more than \$1.2 billion to pay for their campaigns.

To acquire such massive amounts, candidates turn to the best fundraisers in the country: Washington lobbyists. A recent study by the reform group Public Citizen found that lobbyists and their political action committees pumped \$33.9 million into the 2004 congressional campaigns, a 90 percent increase from 2000.

"But," says Public Citizen's Legislative Representative Craig Holman, "these numbers are just the tip of the iceberg. The only money we could actually pin down were the checks personally signed by lobbyists. The law, unfortunately, doesn't require candidates to disclose whether those same lobbyists raised contributions from others, and that's where the real money is."

Unlike the Bush campaigns, most congressional candidates take advantage of this loophole to keep their fundraisers secret. Officially, from 1998 through 2005, Abramoff only contributed about \$180,000 to congressional candidates. However, when contributions from his clients and associates are factored in, the total rises to roughly 14 times that, \$2.6 million.

The phenomenon is a direct result of how federal campaign laws are set up. While the relatively low federal limit of \$2,100 per person, per campaign, per election constrains what lobbyists can give personally, it also increases candidates' dependence on surrogates who have "golden Rolodexes" filled with the names of people willing and able to cut checks to politicians at their direction, a process called "bundling."

Ironically, the passage of the landmark McCain-Fein-

gold campaign finance reforms of 2002 helped to foster this reliance on bundling. The reforms' chief achievement was to close a loophole that allowed large donors to effectively launder contributions of hundreds of thousands of dollars by passing them through the political parties. When the reforms were passed, candidates suddenly needed thousands of \$2,000-level donors instead of smaller bands of \$100,000 donors. The easiest way to accomplish that was to enlist bundlers.

Operating in the shadows

It is impossible to know for sure who the congressional bundlers are or how much they raise because most, if not all, members of Congress guard such information very tightly. However, the rosters of Pioneers and Rangers released by the Bush campaigns—as well as the steadily leaked stream of invitations to after-hours fundraisers held at Washington lobbying firm offices—show that this class of operatives is likely dominated by lobbyists and others who are either trying to gain access to government officials or sell it to the highest bidder. More than one-sixth of the 940 bundlers for Bush's campaigns came from the increasingly melded ranks of lobbyists, lawyers and professional political operatives—people whose professions have come to require such access. More importantly, they are people who have the connections necessary to raise \$100,000 in other people's money.

The Bush campaign, for its part, monitored the bundler's progress closely. It issued each one a tracking number to use on each check. This number, as Thomas Kuhn, the head lobbyist for the electric power industry, explained in a 1999 fundraising letter, helped "ensure that our industry is credited, and that your progress is listed among the other business/industry sectors."

The incentive of earning such credit worked extremely well: Bush's Pioneers and Rangers collected at least 30 percent of the \$276 million raised for the 2004 campaign. In exchange, they were given access to Pioneer-only events, designated as delegates to the presidential conventions and, for about one-fifth of them, garnered presidential appointments to everything from advisory boards to cabinet-level positions.

However, the public nature of the program is unlikely to be duplicated, especially by members of Congress wary of the reporting enabled by revealing their funders. In fact, the list of Bush's Pioneers and Rangers might never have been made public at all. It was still a secret in 1999 when a watchdog group called Texans for Public Justice began pushing a story about a sophisticated contribution tracking system. On a slow news day in Texas, one of the reporters covering the still-unpolished presidential candidate caught Bush unaware and got him to agree to release the details.

"It's one of those accidents of history," says Andrew Wheat, research director for the group. "If Bush hadn't been caught unprepared for the questions, we probably wouldn't know the tremendous role these fundraisers played in the campaign."

the numismatist

"THE NUMISMATIST"

SUSPECT: Thomas Noe

STATUS: Indicted

LEVEL: Pioneer



Rare coin dealer Thomas Noe was the Ohio regional fundraising chairman for Bush's 2004 campaign. Beginning in 1998, the Ohio Bureau of Worker's Compensation gave \$50 million to Noe's company to invest in rare coins. Noe, prosecutors now allege, promptly turned around and laundered more than \$2 million of the money, using it to pay off old debts, finance his own business's purchases and even landscape his house. Noe now faces 53 felony charges, and could be sentenced to as many as 172 years in prison.

Why did the government invest \$50 million in money meant for injured workers in rare coins? One likely reason lies in the June admission by the former chief investment officer of the compensation fund that he took \$25,000 from Noe in exchange for facilitating the deal. Another is the fact that before the scandal broke in 2005, Noe was one of the most prominent Republicans in the state. He earned his status the old-fashioned

way: He paid for it. A long-time Ohio Republican campaign contributor, Noe and his wife have given more than \$200,000 to Republican campaigns and funds, substantially increasing them when he got the first \$25 million from the state in 1998 and again in 2002 when he got a second \$25 million contract.

Noe may have even pulled off the ultimate in crooked campaign contributing: A review of his transactions by the *Toledo Blade* showed that a large portion of his contributions to state Republican candidates were made just after he transferred the state funds into his personal accounts. His largess was spread so widely in the state party that even the prosecutor handling the "coingate" case had to return more than \$6,000 in contributions because they may have been laundered state funds.

And it appears Noe didn't even come by his Pioneer status honestly. Unable to raise the \$100,000, Noe pleaded guilty in May to separate felony charges that he solicited several Ohio politicians and former aides to Gov. Bob Taft to illegally use Noe's own money to make contributions under their names to a 2003 fundraiser personally attended by the president. The U.S. attorney in the case said he would seek a harsh penalty due to the "potential loss of public faith in the presidential race."

"THE PENSION PIRATES"

SUSPECT: Bob Kjellander and Nicholas Hurtgen

STATUS: Under Investigation/
Indicted

LEVEL: Pioneer/Pioneer

Illinoisan Robert Kjellander is a large man, but that's not why they call him "Big Bob". Kjellander is a heavyweight Illinois Republican insider. What Kjellander does for his day job is a little hard to pin down, but he and his consulting group have made millions in recent years off his connections to state officials through several deals with state-run pension funds that have sparked a series of state and federal investigations.

Beginning in 2002, the Republican-connected Carlyle Group hired Kjellander to secure an eventual \$500 million investment from the state teacher's pension fund. Kjellander received a finder's fee of \$4.5 million, which the pension board now says they knew nothing about. The scandal sparked a public uproar that caused the Illinois State Senate to pass legislation banning such payments. Kjellander called the bill an "over-reaction." Federal investigators probing the deal have subpoenaed records on Kjellander, but he has yet to be accused of a crime.

In 2003, Kjellander was involved in another state pension deal, this time a \$10 billion bond deal with the Bear Stearns investment firm that netted him a "finder's fee" of \$809,000. When the deal came under scrutiny by the state General Assembly in 2004, neither state officials nor Bear Stearns could produce any kind of documentation showing what Kjellander had actually done on the deal, which helped sparked ongoing investigations by the SEC, Illinois Attorney General and the governor's inspector general.

The scandal began in earnest, however, when a whistleblower lawsuit filed in 2004 alleged that a Bear Stearns broker who had worked with Kjellander on the deal had helped secure the contract for the firm through a criminal kickback scheme. That broker? Nicholas Hurtgen, who also happened to be a Pioneer for Bush's 2004 campaign. The details in the suit are still sealed, but Hurtgen, who resigned from Bear Stearns in July 2004, also earned his firm a \$500,000 consulting fee for a separate \$100 million investment from the beleaguered teachers pension system that federal investigators are investigating as well. Hurtgen was also indicted on separate criminal charges last year for allegedly extorting hospital officials in Naperville, Ill., into using Bear Stearns to finance their new hospital construction project.

More scandals around the corner?

By the end of Bush's second term we will likely see more Pioneers and Rangers behind bars. Federal prosecutors continue to investigate how far the Abramoff and Cunningham lobbying scandals extend. Tom DeLay's trial for the alleged illegal use of corporate campaign contributions in the 2002 Texas elections is proceeding. One of the funding vehicles allegedly used in that scheme, Texans for a Republican Majority, was headed by Pioneer-lobbyist Bill Ceverha, and it received contributions from Brent Wilkes, now under investigation.

The Pioneer with the most to worry about, however, may be Ralph Reed. Reed, a Pioneer in 2000 and a Ranger in 2004, is running for lieutenant governor in Georgia. In late June, a Senate investigative report on the Abramoff scandal noted that he accepted more than \$5 million from Indian tribes that operate casinos. According to the report, Reed used his position as head of the Christian Coalition to generate conservative opposition to the proposed gambling operations of rival tribes, but only accepted the money after it was laundered through a series of intermediary corporations. In fact, when Abramoff got his first lobbying job in 1995, the press release issued by his new employer touted his ties to the Christian Coalition and Reed, whom he first met during their days in the College Republicans. Reed has not been accused of a crime, but the report recommended a further investigation of the procedures used to obscure the source of the payments. One of the tribes on the losing end of that scheme recently named him and Abramoff in a lawsuit for causing its casino to be shuttered.

Systematic problems, systematic solutions

The only way to eliminate the incentive for less than scrupulous individuals to corrupt the political system is the full public financing of elections, according to Public Citizen's Craig Holman. "Because the 'bundling' of other people's campaign contributions is now the state of the art of campaign financing, it should at the very least be disclosed if not outlawed altogether. There is no constitutional right to parlay other people's money into your own power and access," Holman says. "Of course, if you're going to cut off such a large avenue of funding for campaigns you have to replace it with something, and the best solution is public financing."

In fact, the current scandals appear to be fueling public support for just that. Under public financing, known as "clean elections," candidates qualify for public funding through their party's past performance, or by collecting signatures or a set number of small contributions, usually five dollars. Once qualified, candidates agree to accept no private contributions and to abide by strict spending limits. A recent poll by the reform group Public Campaign shows that 74 percent of the public supports full, voluntary public financing for federal elections. And another poll by the Sunlight Foundation found that a similar majority (76 percent) supports the full disclosure of all money raised for candidates by

lobbyists. [Full disclosure: The Sunlight Foundation is a funder of my employer, Congresspedia.]

Despite the multiple indictments and convictions of bundlers, members of Congress and lobbyists, substantive reforms appear to be all but dead in Congress. Simply put, candidates need the money raised by surrogate fundraisers more than they need to be seen as reformers. Consider, for example, that convicted New Hampshire phonejammer Chuck McGee is now out of prison and holding a "GOP Campaign School" for

Substantive reforms appear to be all but dead in Congress. Simply put, candidates need the money raised by surrogate funders more than they need to be seen as reformers.

Republican activists in New Hampshire. In Illinois, Republican gubernatorial nominee Judy Barr Topinka is not heeding the entreaties of some of her former primary opponents to disown the publicly-tainted Robert Kjellander (and the money he brings to her campaign) in order to win their endorsement.

But perhaps the saddest example is that even a reformer like Sen. John McCain (R-Ariz.) will sacrifice his principles in order to tap into an effective fundraiser's network. In the 2000 presidential primary, McCain was the target of attack ads by a secretive group called Republicans for Clean Air. The group was basically a front for Texas millionaire brothers and Bush supporters Sam and Charles Wyly, the latter a 2000 Pioneer who pumped more than \$2.5 million into the group. McCain was incensed, calling them "Wyly coyotes" and Bush's "sleazy Texas buddies" who "ought to be ashamed." "Tell them to keep their dirty money in the state of Texas," he said. He accused Bush of coordinating with the Wyllys and demanded a Federal Elections Commission investigation into the ads.

This May, however, McCain apparently forgave and forgot his strong words when he accepted \$20,000 in contributions from the brothers to his Straight Talk America fund, which McCain will likely use to finance his nascent presidential campaign. McCain even invited the brothers to co-host a Dallas fundraiser for him. It was only after McCain staffers realized that the brothers are under investigation by the Manhattan District Attorney, the IRS and the SEC for tax evasion that his conscience kicked in, and he returned the checks and disinvited them from the fundraiser.

A spokesman for the brothers said they understood the decision. Sometimes the price of a golden Rolodex is just too high. ■

CONOR KENNY is the editor of *Congresspedia.org*, a collaborative online citizen's encyclopedia on Congress. He is also a former money in politics investigative researcher for Public Citizen.

the bit-players

"THE EXTORTIONIST"

SUSPECT: Rene Vazquez Botet
STATUS: Indicted
LEVEL: Pioneer

Vazquez is a former official in Puerto Rico's New Progressive Party (NPP), whose officials are often allied with the Republican Party. After he served as Bush's Puerto Rico presidential campaign finance chair in 2000, Bush appointed Vazquez to a Commission on Educational Excellence for Hispanic Americans.

In 2004, a federal grand jury indicted Vazquez on charges of conspiracy, extortion and fraud. Vazquez allegedly colluded with another NPP party official and a NPP Puerto Rican House of Representatives member—who has since pleaded guilty—to demand more than \$2 million in kickbacks from construction firms in exchange for using their clout to help secure contracts worth \$300 million. The grand jury says that Vazquez received over \$300,000 from contractors from 1996 to 1999, ending at about the same time Vazquez was likely gearing up his fundraising for Bush's 2000 campaign party.

Vazquez, who has pleaded not guilty, faces up to 100 years in prison and \$2 million in fines if convicted.

"THE OPERATOR"

SUSPECT: James Tobin
STATUS: Convicted
LEVEL: Ranger

A consultant in his home state of Maine and lobbyist for the DCI Group in Washington, Tobin was also



the regional director of the National Republican Senatorial Campaign Committee in 2002 and the New England fundraising chairman for the 2004 Bush/Cheney campaign, through which he attained the super-elite "Ranger" status.

As documented by Paul Kiel in *In These Times* (See "GOP Jams Democracy," June 2006), Tobin has been convicted for charges related to his role in a conspiracy in the offices of the New Hampshire Republican State Committee to jam the phone lines of the 2002 get-out-the-vote operations of the Democratic Party and a local firefighters union. Tobin was sentenced to 10 months in prison, 2 years on probation and a \$10,000 fine at his trial, for which the Republican National Committee paid his legal fees.

Narcissists 'R' Us?

Three decades later, Christopher Lasch's analysis still neatly explains why self-love will tear us apart

BY SILJA J.A. TALVI

IT SEEMS LIKE JUST yesterday I was at the White House staying in the Lincoln bedroom, and everything was wonderful."

These were the words of former Connecticut Gov. John Rowland to a group of teenagers in early July. Rowland was trying to explain his downward trajectory from one of the Republican Party's favored political "stars" to standing in line for toilet paper in a federal prison.

He described his "sense of entitlement" as a political persona. "Before you know it, you're doing things you never thought you'd do in the past. ... Then you send that message to others."

The former governor no doubt got the message from those who influenced him in his rise to power, including the president himself. "I can't tell you how important it is to have people who hold office who deliver," President Bush glowed about Rowland during the Connecticut Republican Committee Lunch in April 2002. "[O]ne of the jobs of a governor is to help restore faith in the political process of a particular state. And the best way to defeat cynicism is to accomplish things on behalf of everybody ... to rise above the traditional noise that tends to dominate the political scene and perform."

"Performing" indeed. The governor put on a great act as a public servant—that is, until he had to resign from office in 2004 amid an embarrassing investigation into rampant corruption and influence peddling.

Rowland's myopic perception of endless omnipotence could be described as wholly narcissistic. But he is not alone. Building a public persona in America often amounts to a narcissistic exercise on the grandest of scales.

NARCISSISM IS CLINICALLY defined in the Diagnostic and Statistical Manual (DSM-IV) as a "pervasive pattern of grandiosity, need for



LUCIANO TIRABASSI

admiration, and lack of empathy." Although just about any person can possess certain narcissistic tendencies, the disorder can't technically be diagnosed until five out of nine criteria are met:

- A grandiose sense of self-importance unsupported by reality;
- A belief that s/he is special and unique and can only be understood by other 'special' people;
- A preoccupation with fantasies of extraordinary success, wealth, power, brilliance, beauty or ideal love;
- An intense, excessive need for admiration;
- A sense of entitlement;
- A frequent tendency to exploit interpersonal relationships without guilt or remorse, including advantageous

behavior to satisfy his/her own end goals;

- A lack of empathy;
- An envy of others, or the perception that s/he is the object of others' envy;
- Regular displays of arrogant behavior or attitude.

The likes of Donald Trump, George W. Bush, Arnold Schwarzenegger, Rudy Giuliani, Donald Rumsfeld, Rush Limbaugh, Paris Hilton and any number of other public figures leap to mind. But narcissists come in all shapes and stripes—you may even be living or working with a few or have one as a parent.

Addressing an audience of people desperate to understand the narcissists in their midst, a subgenre of self-help books have been written to help non-narcissists

identify and extricate themselves from this kind of interpersonal “toxicity.”

Some of these authors are beginning to insist that the preponderance of narcissists in our society did not develop in a vacuum. In an April 2005 interview in the *Seattle Post-Intelligencer*, Julia Sokol (co-author of *Help! I'm in Love With a Narcissist*) observed: “I think society places a value on narcissism and narcissistic values. We put an emphasis on the superficial. We put an emphasis on the people who sound as though they know what they’re talking about, even when they don’t. ... Narcissism forgives an awful lot that in an earlier time would have been considered obnoxious.”

Sociologist Christopher Lasch’s *The Culture of Narcissism: American Life in An Age of Diminishing Expectations*, first published in 1979, was the furthest thing from a self-help book. Written in a dense, unemotional style more suited to the classroom than to armchair psychology, the work was nonetheless groundbreaking. Lasch grasped an emergent sociopolitical trend: a societal push toward self-satisfaction and self-aggrandizement, to the near exclusion of a sense of collective responsibility and accountability.

One of Lasch’s greatest feats was to pinpoint the narcissistic by-products of our American culture of “competitive individualism.” Our society, he argued, had carried the “logic of individualism to the extreme of war of all against all, the pursuit of happiness to the dead end of narcissistic preoccupation with the self.”

Lasch’s book is both illuminating and prescient, particularly as the author predicted what we would later come to know as the “cult of celebrity.” In *The Culture of Narcissism*, Lasch alternated between clinical and casual observations of people who wanted not to be esteemed for their real accomplishments so much as they wanted to be admired and adored for their fortune, beauty, or social standing—and politicians were not exempt from his scathing analysis. “Success in our society has to be ratified by publicity,” Lasch writes. “[A]ll politics becomes a form of spectacle.”

As a prime example of how narcissism had infiltrated the American political realm, Lasch used the still-fresh memory of the Vietnam War to argue that politicians had so concerned themselves with the image and the reputation of American power that they had, in es-

sence, lost sight of reality—that is, until a tremendous amount of unnecessary cost and casualty to human life had already been paid.

Comparisons to the wars in Iraq and Afghanistan are inescapable. But we need not look as far as U.S.-sponsored warfare on foreign soil to see the evidence of a disordered, sickened body politic. Increasingly, the nation’s idea of collective welfare is defined by measures of individual attainment: house and condominium purchases; salaries, perks and bonuses; the availability of luxury goods and accommodations; and the purchase of gigantic, gas-guzzling vehicles decked out with “extras” unimaginable to the American drivers in the not-too-distant past.

UNIVERSITY OF TEXAS journalism professor Robert Jensen examined narcissism in an *Alternative Press Review* article, “Diagnosing the U.S. ‘National Character.’” While political tendencies to self-aggrandize are hardly unique to the United States, the extent to which our nation has concentrated wealth and power should cause us to “worry most about the consequences of such narcissism here,” Jensen wrote. Yet, Jensen cautions, we should be wary of conveniently ascribing abuses of power to the right-wingers or the obscenely wealthy in our midst.

“Part of our task on the left is to both critique the Bush administration, but also to remind people there’s something fundamentally wrong with the structure of empire,” writes Jensen. “We are the most affluent country in the history of the world, and that affluence breeds a pathological disconnect with the rest of the world.”

At an August 2004 appearance in San Francisco, Indian writer and activist Arundhati Roy spoke of that pathological disconnect as an outgrowth of America’s ratings-driven election process. “Unfortunately, the importance of the U.S. elections has deteriorated into a sort of personality contest,” Roy said. “[The elections have become a] squabble over who would do a better job of overseeing empire. ... The U.S. political system has been carefully crafted to ensure that no one who questions the natural goodness of the military-industrial-corporate power structure will be allowed through the portals of power.”

As Jensen puts it today, the confluence of “corporate capitalism with the media-

centric nature of this world combined with the absence of the organized resistant left” has made it more difficult for those of us opposed to repression and greed to tame the beast of narcissism in our midst—and in our own minds.

THE PATH TOWARD a more meaningful, collective-oriented future—has to begin with an introspective reevaluation of how narcissism has skewed our personal, social and political lives. Many of us have, consciously or subconsciously, rejected a society that requires incessant self-promotion for economic survival by refusing to center our existences around publicity-seeking approaches to our life and work. In that act of rejection we can find a bit of shelter from the dangers of a hyperinflated ego.

But in the absence of a cohesive framework that helps us understand exactly what we’ve rejected (and why), many of us simply retreat from public engagement in what *Commonsense Rebellion* author and psychologist Bruce Levine characterizes as a “passive-aggressive rebellion against a society that demands we be incessantly self-promoting narcissists in order to survive.”

Perhaps the hope, then, lies in a fuller understanding of what we are reacting to, and a healthier, more humane sense of what we’d rather embrace, including seemingly antiquated notions of honesty, humility, collectivism, ethical conduct and moderation in material possessions.

Essential to this process, as psychologists like Levine suggest, is also developing a more finely tuned awareness of the role narcissism plays in society. When complete extraction is not possible, then boundary setting is a necessary practice for preserving a healthy, socially and politically-engaged life.

Lasch, in a 1990 afterword to *The Culture of Narcissism*, wrote, “The best hope of emotional maturity, appears to lie in a recognition of our need for and dependence on people who nevertheless remain separate from ourselves and refuse to submit to our whims. It lies in a recognition of others not as projections of our own desires but as independent beings with desires of their own.”

Most importantly, Lasch said, “The world does not exist merely to satisfy our own desires.”

True words, indeed.

And now, to heed. ■



Rechecking the Balance of Powers

The Bush administration has finally been rebuked for its repeated efforts to evade judicial review

BY GLENN GREENWALD

THE U.S. SUPREME COURT'S June 29 ruling in *Hamdan v. Rumsfeld*—that the Bush administration's military tribunals violated federal law and the Geneva Conventions—resoundingly rejected the theories of radical executive power that the administration has used to justify a whole array of controversial governmental programs. But for now, it seems that the Bush administration remains intent on defending its actions while doing the minimum to comply with the ruling. In early July, the administration announced that it would amend a previous executive order that denied

detainees the protection of the Geneva Conventions. Bush has also sought a congressional rubberstamp for a review of the National Security Agency (NSA) eavesdropping program. Such halfway measures are efforts to sidestep the failure of the administration's central legal strategy: to avoid, at all costs, any judicial ruling on the legality of its conduct.

Ever since the *New York Times* disclosed last December that the Bush administration was eavesdropping on Americans without the judicial approval required by the law, the administration repeatedly and publicly proclaimed that it had clear legal authority for the

actions it took. Beyond defending the warrantless eavesdropping program, champions of the president confidently insisted that he is constitutionally empowered to take any actions he deems to be necessary for national security, even if such actions are banned by laws duly enacted by the Congress. Former Bush Attorney General William Barr described the president's limitless power this way: "The other branches, and especially the courts, don't act as a check on the president's authority against the enemy."

Such assertions rely on radical theories of executive power that had previously

been relegated to the fringes of academic and ideological extremes, but became official executive branch policy in the aftermath of the 9/11 attacks.

The administration insists that the Constitution vests the president with the power to act as “sole organ” with regard to all national security matters. As a result, neither the courts nor Congress—nor anything else—can “interfere” with the President’s decisions. As the Justice Department’s John Yoo put it in his now-infamous September 25, 2001 memorandum, “These decisions . . . are for the President alone to make.”

YET WHILE BUSH defenders boasted of their certainty that such executive power theories are supported by clear legal authority, the White House’s actions suggested that it feared any judicial examination of its claims. Over the past six months, the administration has opposed and/or blocked every effort—from courts, privacy groups, telecommunication companies and even Republican senators—to ensure that the federal judiciary will adjudicate the legality and constitutionality of the administration’s most controversial anti-terrorism programs, including warrantless eavesdropping, the use of torture and renditions.

In response to every lawsuit, the administration has invoked the previously rare (but, now common) “state secrets” privilege—an extraordinary doctrine which holds that a court should refuse to rule on any matter which the executive claims would risk disclosure of critical state secrets. The Reporters’ Committee for Freedom of the Press reported that while the Executive Branch asserted the privilege approximately 55 times in total between 1954 (the privilege was first recognized in 1953) and 2001, it has asserted it 23 times in the four years after 9/11. The *Washington Post*’s Dana Priest reported in May that the administration has invoked the doctrine five times in the past year alone.

As Andrew Zajac wrote in the *Chicago Tribune*, “The Bush administration is aggressively wielding a rarely used executive power known as the state-secrets privilege in an attempt to squash hard-hitting court challenges to its anti-terrorism campaign. . . . Judges almost never challenge the government’s assertion of the privilege, and it can be fatal to a plaintiff’s case.”

Beyond abuse of the state secrets doctrine, the White House, through its loyalists on the Senate Judiciary Committee, has continuously blocked efforts by senators such as Republican Arlen Specter to direct the secret Foreign Intelligence Surveillance Act (FISA) court to rule on the legality and constitutionality of the administration’s warrantless eavesdropping

As courts almost always do, the Federal Judge in El-Masri’s case deferred to the administration’s “state secrets” claim and dismissed the lawsuit—despite the fact that, as Priest reported in the *Post* on May 13, there was no dispute about the accuracy of El-Masri’s allegations: “This year, German investigators confirmed most of Masri’s allegations, which have

In each instance where a court would have a chance to rule on the domestic spying program, the administration has invoked procedural doctrines to keep the court from doing so.

activities. And in each instance where a court would have an opportunity to rule on the program, the administration has invoked procedural doctrines to keep the court from doing so.

Two cases currently pending in the federal courts allege that the President’s warrantless eavesdropping program is illegal—one brought by the ACLU in the Eastern District of Michigan and the other brought in the Northern District of California against AT&T by the privacy group Electronic Frontier Foundation. In both cases, the Bush Justice Department has moved for dismissal of the lawsuit in its entirety on the ground that the litigation would risk disclosure of “state secrets.”

The administration thus argues that the judiciary must refrain from ruling on the legality of the president’s conduct—even though the administration has already publicly acknowledged that the eavesdropping took place without warrants. Judging the legality of warrantless eavesdropping does not even arguably require an examination of “state secrets.” Decisions by those courts as to whether they will allow the lawsuits to proceed are expected within the next several months.

EARLIER THIS YEAR, the administration used the same tactic to compel dismissal of a lawsuit brought by Khalid El-Masri, a German citizen who alleges—with the support of German prosecutors—that the U.S. government abducted him, drugged him, flew him to Afghanistan as part of the administration’s “extraordinary rendition” program, only to then release him after five months when the United States realized it had abducted the wrong person.

received extensive publicity in Europe.” In December, during a joint news conference with Secretary of State Condoleezza Rice, German Chancellor Angela Merkel said Rice had admitted the mistake.

But no matter. The Bush administration, knowing that federal courts will defer to its secrecy claims, blocked the court from reviewing El-Masri’s plainly meritorious allegations. And it used the same maneuver last year to compel dismissal of a similar lawsuit, this one brought by a Canadian citizen who claimed that he was taken to Syria by U.S. officials for detention and was tortured.

Similarly, when the NSA “requested” in late 2001 that all telecom companies turn over their customers’ calling records in order to enable it to compile a comprehensive database tracking Americans’ communications, Qwest repeatedly requested, throughout 2002 and 2003, that the administration first obtain a judicial ruling that Qwest’s compliance would be legal. When they refused, Qwest in 2004 asked that they at least obtain an advisory ruling from the administration’s own lawyers in the Justice Department. When the NSA refused that request, too—and made clear that it was unwilling to obtain any ruling as to the legality of its program—Qwest refused to comply due to its concern that the program was illegal. Other telecom companies were not so scrupulous.

Over and over, the administration’s conduct has been directed at one overarching goal: to avoid a judicial ruling as to whether its asserted theories of executive power have any legal foundation. If the administration believed that its conduct was supported by clear legal author-

ity, one would presume that it would welcome such adjudications. Plainly, they are not confident.

The reasons for the administration's fear of judicial review are self-evident. The notion that the President can act without limitations from the other two branches of government is supported by neither express Constitutional provisions nor this country's basic founding principles. Indeed, the unrestrained and unchecked executive branch that Bush, Cheney and Gonzalez defend is precisely what the founders sought to avoid when they created a system of government with three co-equal branches, designed to share power in every area, including—perhaps especially—in matters of war.

America's entire history of constitu-

tional jurisprudence, beginning with the writings of the Founders themselves in the Federalist Papers, leaves no doubt that the administration's theories of a president with unrestrained powers are entirely alien to our system of government and laws. As a result, President Bush's conduct is simply illegal.

AS IT TURNS out, the administration was right to fear judicial review. The recent Supreme Court decision presented a strong rebuke to the administration's extremist executive power theories.

While it was anticipated and necessary that the Court would rule on the narrow question of whether the military commissions violated the Conventions, the five-justice majority went much further,

emphatically rejecting the president-as-monarch theories touted over the last five years by the administration to justify a wide array of increasingly extremist and patently illegal conduct.

The crux of the Court's ruling was that even grave threats to our national security do not permit the president unbridled discretion to act outside the parameters of the law. Indeed, the *Hamdan* opinion repeatedly placed great emphasis on what it called "the powers granted jointly to the President and Congress in time of war." And, in a direct repudiation of the administration's claim that Congress is without power to limit or regulate the war powers granted by the Constitution to the president, the Court explained: "Whether or not the president has independent power, absent congressional authorization, to convene military commissions, he may not disregard limitations that Congress has, in proper exercise of its own war powers, placed on his powers."

Whether intended or not, that paragraph, by itself, dispenses with the central misconception—the myth—that the administration has relied on to defend programs of illegal eavesdropping and other legally dubious conduct. More than anything else, the Court's opinion in *Hamdan* is a clear rejection of the crux of the Yoo Memorandum. The Court held that Congress—and, implicitly, the courts—most certainly do have a role to play in our system of government, even with regard to the exercise of war powers, and that such decisions are most certainly *not* "for the President alone to make."

A system in which the president can engage in illegal behavior but then block the courts from ruling on the legality of his actions is, by definition, a system of lawlessness. And until the Supreme Court in *Hamdan* boldly reasserted its institutional role in our system of government, an accountability-free system in which the president resides above the law is precisely what America had for the last five years.

The Supreme Court's decision in *Hamdan* is an important step towards the restoration of the rule of law and America's defining constitutional principles. ■

GLENN GREENWALD is a constitutional lawyer, editor of the political blog *Unclaimed Territory* and author of the New York Times bestselling book *How Would a Patriot Act?*

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Students vs. Sweatshops, Round III

The Designated Supplier Program targets college clothing companies

BY MISCHA GAUS

CLAUDIA EBEL IS TRAVELING across Thailand this summer, but her itinerary is no vacation. The University of Colorado at Boulder sophomore is meeting with sweatshop workers, promoting a plan to change how college clothes are made—and the lives of the people who make them.

This summer, United Students Against Sweatshops (USAS) is sending 14 students like Ebel to 12 countries. The trips will prepare college anti-sweatshop activists for a busy year, as they try to convince universities to write sweeping new demands into the multimillion-dollar contracts they sign. The new rules will strip companies licensed to make college-logo apparel of their exclusive control over prices and decisions about where clothes are made. To stay in the lucrative collegiate game, apparel corporations will have to produce increasing percentages of collegiate garments in factories where workers are represented and receive steady work for living wages.

Thirty universities have signed up for the Designated Supplier Program, or DSP, as the new rules are called, since the program's kick-off last September. The list includes large, revenue-heavy schools like Duke University and the entire University of California system, giving the program heft as students and universities iron out the details this summer in preparation for a fall rollout.

Ebel has plenty of work to do. Although some unions and NGOs in countries with struggling apparel industries have released statements supporting the supplier program, which grew out of their conversations with USAS, others have trepidation. According to Somsak Praiyoo Wong of the Thai Center for Labor Rights, Thai garment workers don't trust



apparel companies, because the brands' public allegiance to previous efforts reining in the industry hasn't meant much.

"It is obvious that brands move production around as they see fit without any regards to workers," Praiyoo Wong says.

THE SOURCE of the sweatshop movement's power has long been the big contracts that colleges ink with apparel companies, a market estimated between \$3 and \$4 billion per year. By using those contracts to achieve leverage over the prices corporations pay to their subcontracted factories—and requiring decent wages and long-term relationships—anti-sweatshop advocates aim to foster the spread of high-road develop-

ment in poor countries.

Robert Pollin, an economics professor at the University of Massachusetts at Amherst, argues that consumers could see price increases of 1 to 6 percent as a result of mandating living wages for garment workers, if brands choose to pass the costs along. That loose change extracted from college alums equals doubled wages in many sweatshops.

These tough new contract provisions are the third wave of college sweatshop activism in the last decade. First, students won codes of conduct that declare the principles under which college clothing should be sewn—among them, respect for freedom of association and

read the latest underground classic

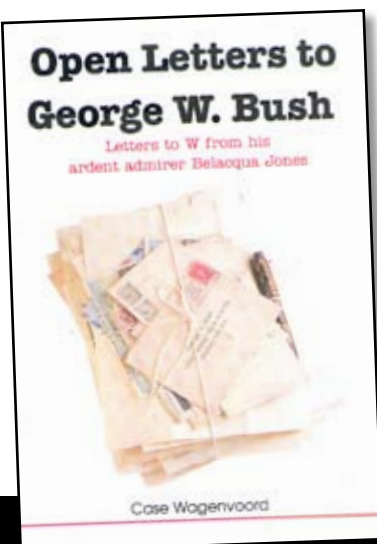
Imagine Karl Rove on methamphetamines and you have Bush's shadow advisor, Belacqua Jones. Belacqua peppers the president with daily letters of encouragement and advice in which:

- He praises the president's Eternal War of the Empty Policy
- He tells the president how to shoot Jesus full of theological steroids
- He mourns the martyrdom of St. Thomas De Lay

This is a must read for those seeking a dark vision of American politics and life seen through the cracked lens of substance abuse and a Neocon ideology run amok.

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<http://blogs.salon.com/0004024>



dignified working conditions. Six years ago, USAS helped found an independent monitoring group, the Worker Rights Consortium, to respond to sweatshop workers' complaints.

Making those principles stick in factories produced notable achievements, including the recognition of independent unions in countries where such organization was previously unthinkable. But the efforts were limited to about 20 factories at which the Consortium devoted significant energy to ending abuses like sexual harassment, blacklisting of employees attempting to organize and theft of severance pay by managers.

Enforcing the code when violations arose proved a weak approach to confronting the entrenched practices of the apparel industry. Most of the thousands of factories making collegiate apparel didn't face the scrutiny of a Consortium investigation, and the ones that did—and made improvements—sputtered.

"The only way for a factory to survive in today's apparel marketplace is to function as a sweatshop—holding production costs down by abusing worker rights," says Scott Nova, the Consortium's executive director. "Although the factory is certainly responsible for their actions, it is primarily the fault of the brands and retailers who set the prices that make the market."

The prices brand-name corporations pay to factories for their clothing have dropped consistently because they demand lower costs and shift production rapidly around the globe to find them. According to Jill Esbenshade, a sociology professor at San Diego State University and sweatshop researcher, factory prices for cotton T-shirts over the last decade fell by more than half in Honduras and almost a third in Mexico.

Trade rules exacerbated this dynamic when the Multi-Fiber Agreement quota scheme expired last January, allowing companies to move huge amounts of clothing production to countries with abysmal labor conditions like China and Vietnam.

In this fearful climate, factories pushed into respecting worker rights were penalized by brands, which pulled their orders. A Dominican cap factory that was an early test case for the Consortium went from winning a collective bargaining agreement that boosted wages to massive layoffs as brands sought marginally lower

prices elsewhere.

The brands' refusal to stand by factories making improvements, Nova says, sends the unmistakable signal that improving working conditions is an invitation to unemployment.

"It seems if the fish cannot be killed," says Gilberto Gil of the Center for Labor Support and Education in El Salvador via a translator, "they want to suffocate it by taking away the water."

NO FACTORY COULD meet the new DSP standards today, mostly because no garment workers receive living wages.

The program would cut the number of factories producing collegiate clothes to a small pool that either already meet the standards or agree to meet them, and to promise to open up to scrutiny to ensure the attempt is sincere. More factories would join as the requirement to purchase clothes from high-road suppliers increases from 25 percent the first year to 75 percent the third. After the third year, universities would have the choice to bring their entire apparel production into the program.

"With so many workers impacted, these things take time," says Tim Hillman, a USAS representative to the program's implementation group and a civil engineering Ph.D. candidate at the University of Colorado at Boulder. "Nobody can say what the conditions should be for the workers except the workers themselves."

USAS dispatched students like Ebel to meet with worker groups and unions, explain the program and get their feedback.

Apparel brands grumble that the supplier program hasn't paid enough attention to technical issues, like ensuring sufficient specialization. Universities note that if brands are unhappy, they can bring their favored factories into the program, provided they meet the standards.

"You've got to have a system that allows the volume, quality, variety and delivery," says LaMarr Billups, a special assistant to the chancellor at the University of Wisconsin at Madison and a member of the supplier program's implementation team. "It's a larger issue than we've faced in recent years, but it's not something we won't be able to overcome."

Brands also trot out old arguments against a living wage, saying it is too



Students are talking with factory workers to find out how to best improve conditions.

complex and difficult to arrive at in each of the many countries where apparel is produced. "You could ask five experts what the living wage is for a country and you're going to come up with five different answers," says Gregg Nebel, director of social and environmental affairs for Adidas and a board member of the Fair Labor Association (FLA), the other major sweatshop-monitoring group.

To address this, the supplier program would not set wage levels but would respond when workers complain to the WRC that factory management isn't offering livable wages during negotiations. A committee of local groups and industry experts would produce a baseline from a local basket of goods. Brands would be instructed to offer better prices to the factory for its garments if the current prices aren't high enough to allow the factory to pay its workers decent wages.

The Consortium has already tested the exercise twice, assessing the local baskets of goods that would produce the living wage baseline in El Salvador and Indonesia. However, as Nova asks,

"What food items we've referred to are too generous for a family in Indonesia? Which clothing items in El Salvador do [apparel companies] feel a family doesn't need or shouldn't have a right to? They make the same rhetorical statements they've made for a decade to avoid being held accountable for the wages that the people who sew their clothing are being paid. It's an enormous moral cop-out."

A major concern is how to include sweatshops in China and Vietnam, which essentially outlaw labor unions. Although difficult, worker representation isn't impossible in those countries, anti-sweatshop advocates say, because local officials defer to factory management.

Hong Kong NGOs are already holding labor-rights trainings in factories on the mainland, and quietly identifying those where worker committees with negotiating powers could be established. The current draft of the supplier plan allows those shops onto the list of factories producing collegiate wear.

THE SUPPLIER PROGRAM has split the college antisweatshop world, with USAS and the Consortium backing it and the FLA standing at a frigid distance. The FLA has several apparel corporations on its board of directors, and has been accused by USAS of standing pat several times while its own corporate members dithered during a factory crisis. Bill Clinton was integral in establishing the FLA as a response to the 1996 Kathie Lee Gifford scandal. But while it soothed the public mood at the time, a decade later industry-led oversight has changed very little.

Nova wrote a letter to the FLA in March protesting "numerous inaccuracies" in the FLA's public statements about the supplier program, while USAS launched a Web site, FLAWatch.org, to showcase "the true agenda of this 'fox guarding the hen house.'"

"The FLA's intent is to show some of the issues surrounding the DSP and engage on all sides to find some consensus," Nebel says. "I see an unsavory confrontation that takes energy away from the work we're trying to do, which is make improvements in the supply chain." He says Adidas and the FLA prefer a "management systems" approach to improving sweatshop conditions, which consists of training factory managers in identifying inefficiencies in their plant and establishing consistent corporate hierarchies and policies.

Efficiency and trainings are fine, anti-sweatshop activists say, but without a structure like the DSP to ensure that workers are represented in the factory and guaranteed decent wages, there's little chance efficiency gains would reach them. They suggest another reason the perpetually tense relationship among the sweatshop monitors is fraying: the corporations guiding the FLA realize the new rules will make business as usual impossible. ■

MISCHA GAUS is a freelance writer in Chicago who contributes regularly to *In These Times*.

Economic Populism Proves Popular

To thwart legislation that put caps on payday lending rates, Republican lawmakers in Oregon had to pass it

BY CHRISTOPHER HAYES



WHEN OREGON VOTERS HEAD to the polls this fall they'll have 13 ballot initiatives to consider, everything from parental notification for teenage abortion to strict tax-caps. But they won't get a chance to vote to limit interest rates on payday loans. A coalition of progressive groups called Our Oregon had hoped to gather enough petitions to put the issue on the ballot, but they never got the chance: Once Republican lawmakers caught wind of the plan, they became so scared of its potential political impact that they passed the proposed referendum word-for-word in the state House.

State House Majority Leader Wayne

Scott, who voted against the bill, was blunt about his colleagues' motives. "We should come clean [about] what we're really doing today," Scott said on the House floor. "We're not passing the bill to protect people; we're passing the bill to protect ourselves."

Payday loans are short-term, high-interest loans. Borrowers receive an immediate cash payment and, in exchange, write a post-dated check that can be cashed once they receive their next paycheck. The interest rates are far, far higher than loans through commercial banks, up to 500 percent (and in some cases, as high as 900 percent). Most perniciously, the loans can be rolled over for addition-

al fees, which means customers can end up paying more interest than the principal they'd originally borrowed. In the last few years the industry has exploded: From 2000 to 2003, the number of payday lenders more than doubled, and the industry's sales quadrupled to \$40 billion.

In response, states from Florida to Arkansas to Illinois have been cracking down on payday lenders, imposing strict disclosure regulations, limits on the number of rollovers and interest caps. Until recently, Oregon was one of only seven states with no such caps, and the lack of regulation served as a magnet for the industry, with out-of-state companies flocking in to set up shop.

As payday lending exploded, so too did horror stories about cyclical debt and eye-popping interest rates. Portland resident Maryann Olson, a 58-year old retired nurse on disability, didn't have the \$150 she needed to buy orthopedic shoes, so she took out a payday loan. Several months later, she owed \$1,900 to six different lenders. After housing and medical costs, she had so little money left over to pay down her debt, she says she "was going out to other payday loaners, trying to rob from Peter to pay Paul."

Social service agencies around the state began noticing more and more of their clients in situations like Olson's. Angela Martin, Our Oregon's director of economic-fairness campaigns, says that at the Oregon Food Bank, where she previously worked, the fastest-growing type of clientele was working families. "They couldn't make room for the grocery bill," she says, "because they had to pay the payday lender."

So beginning in 2004, a coalition of faith-based social service agencies, along with Oregon State PIRG and the Oregon

Food Bank, started pushing in the state legislature for bills that would have limited interest rates and rollovers. Thanks in large part to the hundreds of thousands of dollars the industry spends on lobbying, the opposition was stiff. The bill passed the Democratic-controlled Senate last year, but in the Republican-controlled House, Speaker Karen Minnis wouldn't allow it a hearing.

Then last fall Our Oregon started plotting its election-year strategy. "Most of the major political groups hadn't really been tracking" the payday lending issue, says Our Oregon Strategic Consultant Kevin Looper. "But when we started Our Oregon, we wanted two things out of it—permanent coalition building capacity, and to fill in the gap we saw strategically, which was all around advancing basic economic fairness."

So the coalition commissioned a poll. "We got really great, clean-ballot language that said we'll limit the interest rates on payday loans," says Looper. "We polled on it, and it literally polled off the charts. Our pollster said, 'I never see polls like this.' It's just unbelievably rare to find an issue that's 70-30, and you win every one of the demographic groups." Including, Looper says, registered Republicans.

"Who the heck can be on the side of charging 521 percent interest rates for people that are vulnerable and desperate? I feel personally for the people that are in that spot, and I must say I also like the box it puts conservatives in politically."

One of those boxed in was Minnis, who Our Oregon targeted with actions in her district that called attention to the fact she'd taken \$13,500 from the industry and blocked the reforms. When the governor called a special session in April to deal with school funding, it was Minnis who demanded her colleagues put the payday lending bill on the agenda as well.

Republican lawmakers "were caught between a rock and a hard place," says Martin. "Registered Republicans out in the community said, 'Wait a minute, this is good legislation.'"

Lawmakers tried to thread the needle by voting for the bill during the special session, but they attached a provision delaying the law's implementation for 15 months, hoping to take the issue off the table for the fall elections and then gut the reform next year. They even said as much. "I'm rising in support of this [bill]," said Republican State Sen. John

Lim, "there's no question about it. But this bill is not going to solve the problem. ... We need to come back and look at this bill again, whether it's going to work or not."

In other words: I'm voting for it before I vote against it.

Luanne Stoltz, vice president of the Oregon Community Financial Services Association and proprietor of Anydays

In Oregon, most voters are left of Republicans on financial issues, allowing progressives to leverage their own wedge issue: economic fairness.

Payday Loan in Oregon, says the regulations are well-intentioned, but counter-productive. Stoltz says her customers are grateful for the service she provides. "It's like going to buy a latte at Starbucks," she says. "You pay more than you should, but it's convenient."

But if the service is so popular, why did lawmakers nearly fall over themselves to pass the interest cap? "We're a society that loves to have victims," Stoltz says. "There are a very small percentage of our customers who frankly abuse the product. I feel bad for them when this happens, but they are not the ones who suffer: I'm the one without the money! ... They chose to take out more payday loans than they could pay, and now they're in a pickle. They make a great story, a sad sob story. It's the picture we love in America—the poor down-and-out person, we have to help them, and the bad person who loaned them the money is the reason they're there."

So far, rhetoric like this hasn't proven particularly effective. Since its victory in April, Our Oregon has pushed forward local payday lending regulations in eight municipalities, including conservative cities like Gresham and Oregon City. "If you look at the counties where this is passing at the local level, they're red counties," Martin says.

In recent years, conservatives have utilized wedge issues to particular effect at the state level. In 2004, Karl Rove engineered a series of anti-gay marriage ballot initiatives in key battleground states designed to draw conservatives to the polls and cut into the progressive base. Many political observers credit the Ohio measure for Bush's high performance among the state's African Americans. He won

16 percent of the black vote there, nearly twice the percentage he'd won in 2000. That margin proved the difference.

But while voters might be to the right of the Democratic Party on social issues, they are also, by and large, to the left of the Republican Party on economic issues. Surveying the 2004 National Election Study data, Scott Winship at the *Democratic Strategist's* blog recently wrote that

"adults are conservative on ... values (62 to 38), but liberal on economic/social policy (57 to 43) and fiscal policy (60 to 40)."

In other words, progressives have the ability to leverage their own wedge issue: basic economic fairness.

"I have a data guy who's gone through the ballot measure results from every part of [Oregon] by precinct and house district," says Looper. "Going back 10 years, every time they move regressive social issues, we lose some share of base, and every time we move economic populist stuff, like minimum wage, we pick up ground. Take the speaker's district: We lost the gay marriage issue by more votes than we lost even the presidential race in her district. But we won minimum wage by much more than they won their legislative district."

Oregon's 1996 ballot initiative raising the state's minimum wage is just one of several that have been passed across the country, including in red states like Florida and Nevada. This year, minimum-wage raises will be on the ballot in six states, and just recently, in a script remarkably similar to what happened in Oregon, state Republicans in Michigan rushed to unanimously pass a bill to increase the minimum wage in hopes of killing the issue before the issue killed them at the ballot box.

"It's been very exciting to show Democrats that when you get out there on an economic issue and show that you are on the side of everyday working folks, there's power in that nexus," Looper says. "Politics is about winning. When you convince politicians that you can make 'em lose, even the regressive ones tend to pay attention." ■

BY AARON SARVER

Processing Pain at Smithfield Foods

Located in Tar Heel, N.C., the Smithfield Packing pork processing plant is the largest in the country. It employs 6,000 workers who work to slaughter 33 hogs a minute, 24 hours a day. In 2000, Human Rights Watch issued a report that chronicles how Smithfield Packing, Inc. abused

workers during union elections held in 1994 and 1997. The report detailed other practices at the plant:

According to union officials, approximately forty-five workers were bused into the plant each day from the Robeson Correctional Center, a state prison. They were bused into the plant premises without stopping to receive union flyers and boarded the bus at the same internal point so they could not receive flyers leaving the plant.

Smithfield management denied union advocates' request to communicate with these workers, who qualified as "employees" under the [National Labor Relation Act] and were eligible to vote in the union election. However, management required these work-release employees to attend captive-audience meetings to hear its arguments against forming and joining a union.

Smithfield employs the only private police force at a meatpacking plant in the country; under law the officers can carry firearms.

In April, the National Labor Relations Board (NLRB) ruled that during union elections Smithfield had broken the law. According to the board, the corporation "assaulted workers, threatened them with bodily harm, threatened them with arrest by immigration authorities, and caused workers to be falsely arrested."

The NLRB has ordered a new election. And, after 31 years on the job, Smithfield Foods CEO Joseph W. Luter III recently

announced he will step down on August 31. *In These Times* recently spoke with Quincy Harvey who worked at the Smithfield plant for ten years. Harvey was in Chicago in June for a rally sponsored by United Food and Commercial Workers union to educate the public about Smithfield Foods.

What did you do at the plant?

I was a split saw operator. After all the guts were taken out of the hog, I had to cut it in half with what they call a split saw. It was about three and a half feet long, about 75 to 100 pounds. The line would move in front of you, and you would have to catch the hogs and cut them while the line was moving. I did that for six years.

What type of shift did you work?

Basically about seven and a half hours.

At the end of the shift you were worn out?

Yes, because we worked three people on that job and it was a four-man job because we never could keep a fourth guy there. Someone was always getting terminated or quitting. Out of the six years I worked there, we ran three guys for about two and a half of those years.

Why would people quit so often?

Because of the work, it was so straining and that line speed. They would speed the line up when they needed to, and that would make it even harder for you, because you're lifting a heavy saw.

If your saw isn't heavy enough, you wouldn't give them a good enough split, so the supervisors would come up to you and tell you, "Yo, you're not doing this right, we're going to have to write you up." That would make you have to put a little bit more weight on the saw because the heavier the saw is, the quicker it goes down through the hogs and the better your splits look. They want those loins perfect because that's where they make the most of their money.

Did you ever see anyone get hurt on the job?

Yes, I've seen people get hurt. I have been hurt on the job several times. When I was in the back in livestock I got stuck through the hand with a knife while I was shackling the hogs.

One day, we were working and the hog came down the chute, but he turned sideways. The guy over there is suppose to stick the hog in the throat and let them bleed out. When I grabbed the shackle, he was trying to stick him from across the table, and when he stuck the hog, he stuck me through my hand. You can still see the line in my hand right here.

What happened after you were hurt?

It took them about 45 minutes to take me to the hospital. They got one of the guards to take me. But they took a urine sample before they would even take me.

They were trying to see if you were drunk?

Yeah, and I was hurting bad. They took me from Tar Heel to Fayetteville— that's about 25 to 30 minute ride, and I had already waited 45 minutes. They never called an ambulance. They just told one of the guards, "Take him to the hospital."

When were you back to work?

I was back to work the next day so it wouldn't be considered workman's comp.



Quincy Harvey displays a work-related scar.

And they don't let you stay out of work on that. Even though I was taking pain pills they put me up there and I was counting hogs. Well, really, counting gaps, because they didn't want gaps in the line.

You said you were injured some other times as well?

I was in the locker room one time changing my clothes, and somehow the lockers weren't very stable. I was getting my clothes out of these lockers and they fell on me, I was pinned up against them. So when they came to get the lockers off me, they put me on the stretcher and took me down to the clinic. They came and stuck little pins in my foot to see if I had any feeling in my legs. Once they found out I had feelings back in my leg, they went out of the room for a minute. When they came back, they said, "This is not a work-related accident." Even though I'm at the job, changing to go to work. But they said you're on game time, so you are going to have to find a way to get to the hospital if you need to go.

You were working at the plant when they had the union election in 1997?

Well after the elections, all the lights went out. Man, this was a calm day, no

storm or nothing. And after that, you know what happened: the company won. Before the vote, there were a lot of people getting terminated that were talking about the union. A lot of people were trying to persuade you not to vote for the union. They would slow the line speeds down for you to try to keep you from voting for the union. They promised us a dollar raise, but after the vote was over, they said it was over four years, so that is a quarter per year, which they were giving us anyway. They had supervisors who would come up and put these stickers on your hat without you even asking them. The stickers said, "Vote no on the union."

The company had a lot of people coming in from different places talking about why we don't need a union. They had some guys come out of New York. They was telling us, "If you go on strike, what would Smithfield do? It would pack up and leave. There would be no more work around here. If you go on strike, then you can't feed your families because Smithfield is not going to pay you—no way."

They said that if the union did get in, the first thing they are going to do is go on strike. Then they were telling us about how the union was getting all the money and what the head of the union gets.

They brought in paperwork showing his pay scale. Then we had union workers that come in telling us that wasn't true.

What was the reason that you eventually left Smithfield?

I complained about a shoulder ailment. Once I started complaining about working on that saw, they said I wasn't doing the job good enough, so they took me off that job and put me on another job. And I was still complaining about my shoulder.

I went to the assistant superintendent and he told me, "You can go the [Smithfield] clinic, but it's not work-related." I said, "I didn't say it was work-related. I just said my shoulder's hurting, and I've been complaining about my shoulder for a while now." He said, "Well you can go to the clinic, but it's not work-related." So, they sent me across the street to Smithfield clinic, and the doctor took me out of work for a week. Then after that week, I came back. I worked a couple days, my shoulder started hurting more, so they sent me back to the clinic. The doctor starts to get me X-rays, then an MRI. He found out I had a torn rotator cuff, so I went to Human Resources. They told me that since I went across the street, where they sent me, that it can't be filed under workman's comp. They said, "Since you didn't use *our* doctor, it's not workman's comp."

What did you do after that?

Well, I was on medical leave. After 13 weeks, they terminated me. I was in therapy for 18 or 19 weeks, and I still have to have another surgery on my shoulder. The doctor didn't take enough bone out. I'm going to have to go through this whole thing over again. He said that there's scar tissue build up because I was in a sling for six weeks. I don't have nowhere near the motion I had in my arm before.

I just heard that the CEO resigned yesterday. What do you think about that?

That might be a good thing. I probably could never work there again because of my shoulder injury. But I think, since they caused it, I should be able to do whatever little job I could do there. My injury come from me working there for a long period of time and me doing stressful work. ■



Stewart and Colbert: Now more than ever.

BY JESSICA CLARK

In Politics, Comedy is Central

Lewis Black is irate. “The last year and a half is by far the toughest time I’ve ever spent as a comedian,” he confides to the audience in his HBO special, “Red, White and Screwed.” “It used to be easy—one or two things might happen in a

week. And now, something will happen, and I’ll read about something and I go ‘I’m going to make that funny,’ and then”—here he starts to yell and pace—“the next day, 30 other things would fucking happen! Who can keep track of this shit? I don’t even have a ports of Dubai joke, and we’re on to immigration.” The audience hoots in sympathy.

Perhaps this abundance of absurdities helps explain the recent boom in political humor. In May, the *Washington Post* reported that the number of Bush jokes on the late-night network shows had doubled, hitting Clinton/Lewinsky-era levels. Explicitly progressive comedy is also on the rise—from the cheery vitriol showcased on *Air America*, to a host of viral videos, to the recent national tour of a new stand-up troupe, *Laughing Liberally*. At the

same time, Comedy Central satirists Stephen Colbert and Jon Stewart have become the era’s most effective media critics, drawing distinguished guests from left, right and center, and providing a spirited space for public debate.

This evolution of political comedy has everything to do with the collapse of public trust in our truth-telling institutions, hastened by the right’s sustained attack on what one GOP insider dismissed as the “reality-based community.” (“Reality,” quips Colbert in full conservative drag, “has a well-known liberal bias.”)

We now routinely watch the mainstream media with the expectation that we’re being spun, but when did we start watching comedy for the real deal?

According to Boston College professor Paul Lewis, author of the forthcoming *Cracking Up: American*

Humor in a Time of Conflict, the role of comedy in public culture has been on the rise since the '80s.

"These are tough, competitive, complex times in U.S. humor production and consumption," Lewis writes, "times in which the significance and nature of jokes is a matter of debate and in which the effort to shape public opinion by way of ridicule and satire has become a serious project."

In his book, Lewis examines how conservative media figures like Rush Limbaugh and Ann Coulter have effectively dismissed and diminished progressive ideas and politicians by making them the "butt" of taunts. Such derisive humor works in tandem with serious policy initiatives to sandbag losers in what Lewis earnestly terms "butt wars."

This project of attacking liberals has unified a diverse and contentious coalition of fundamentalists, free marketeers and career Republicans in ways that little else could. "Bugging liberals, you see, being bugged by liberals, is not incidental to conservative culture, but rather is constitutive of it," writes historian Rick Perlstein in a recent *New Republic* article.

Now, the tables are turning. Bush was spared much mockery in the wake of 9/11, but with his popularity tanking, the "butt-in-chief" is again fair game. Bush-bashing has become a cottage industry. And a new book by Air America's Sam Seder and Stephen Sherrill, *F.U.B.A.R.: America's Right-Wing Nightmare* extends the trend, launching a wholesale attack on the conservative brand.

Katie Halper, a founder of Laughing Liberally, dismisses charges that partisan humor is "preaching to the choir." Instead, it serves the political purpose of rallying the progressive troops. "It's very cathartic," says Halper. "Besides, people who are doing pavement-pounding work deserve their own spaces."

In addition to drawing progressive applause, the Laughing Liberally tour has succeeded in bugging conservatives. "Over the course of the show," complained David Finnigan on National Review Online, "eight comics spent about two hours repeating tired complaints about President Bush, punctuated by at least 105 profane words."

While the partisans tally swear words and sling mud, Stewart and Colbert are

busy making the news good again. They mock the Republicans plenty, but they're capturing larger audiences precisely because they're not just bashing Bush. Instead, they're tapping into the growing public realization that mainstream jour-

nalism has become a joke.

nalism has become a joke. Their smarty-pants shows serve up multilayered satire that matches our multitasking moment. Watching Colbert navigate both the challenges of his O'Reilly-esque persona and the news of the day entertains even the most ADD-addled viewer. Their performances engage us on a visceral level while simultaneously pointing out the devices mainstream media use to hook viewers.

So, how do these Comedy Central send-ups impact politics? A study by two East Carolina University political scientists recently set off some alarm bells. They sat college students down in front of '04 campaign coverage from either CBS News or "The Daily Show," and then asked the students to judge the candidates. After watching Stewart, students were harder on candidates and expressed less trust in the electoral system.

On June 23, *Washington Post* columnist Richard Morin fretted that the study was "particularly dismaying news because the show is hugely popular among college students, many of whom already don't bother to cast ballots." *TNR* television critic Lee Siegel piled on, "Constant ridicule seems to have the effect of turning the political system into one gigantic self-parodying freak show."

A freak show? No kidding ...

Print journalists' doleful hand-wringing prompted flames of derision from progressive bloggers. "This is a woefully misleading representation of the study," wrote Matt Stoller of MyDD. "First of all, the authors of the study concluded that we don't know what the effect of 'The Daily Show' is on voting patterns. They mused that it could be positive, or it could

be negative. And indeed, turnout among youth actually went way up in 2004."

Besides, isn't skepticism a sane response to the Bush administration lies and corruption? "My enthusiasm for Stewart correlates to the hope for a new group of

Rather than foster debilitating cynicism, these comedians-cum-newscasters reflect a contemporary mode of communication in which irony is the new authenticity.

progressive politicians," says Lewis.

Responses like these reveal the serious role political humorists now play. They serve up truth in the guise of Colbert's "truthiness." Rather than foster debilitating cynicism, these comedians-cum-newscasters reflect a contemporary mode of communication in which irony is not antithetical to—but synonymous with—authenticity. We have moved beyond the much-heralded (and lamented) GenX cynicism of the late '90s. Sarcasm, doubt and distance have become default positions, havens in a world of fundamentalisms, false promises and lies.

Colbert, who pointedly skewers the absurdities of conservative newscasters, displayed satire's hopeful promise at the Knox College commencement in June. "Don't be afraid to be a fool," he told the students, recalling how his early improv training in Chicago had stressed the value of saying "yes" in order to move a scene along.

"Young people who pretend to be wise to the ways of the world are mostly just cynics. Cynicism masquerades as wisdom, but it is the farthest thing from it," he said. "Cynicism is a self-imposed blindness, a rejection of the world because we are afraid it will hurt us or disappoint us. Cynics always say no. But saying 'yes' begins things. Saying 'yes' is how things grow. ... 'Yes' is for young people. So for as long as you have the strength to, say 'yes.'"

Truthier words were never spoken. Maybe the new comedy will not only make us laugh, but help us rescue ourselves from the tragedy of today's politics. ■

JESSICA CLARK watches too much TV.



COURTESY OF THE IRDOW PROJECT

BOOKS

Death of a Toker's Utopia

By Steven Wishnia

THE MOTTO OF Rainbow Farm in Vandalia, Mich., could have been “A Working-Class Hippie Is Something to Be.” On Memorial and Labor Day weekends from 1996 to 2000, a few thousand amplifier-factory workers, hippie girls and truckers’ wives-turned-political-activists camped out there to smoke weed, listen to rock ’n’ roll, hear pro-legalization speeches and commune with the land and each other.

A 34-acre campground owned by a gay couple named Tom Crosslin and Rolland Rohm, Rainbow Farm was located in a hardcore Republican part of southwest Michigan. The county’s prosecutor, Scott Teter, believed he was “guided by the Lord” and crusaded against abortion and drugs. After several attempts to squelch the festivals, Teter succeeded in May 2001, when a police raid, ostensibly for tax evasion, nailed Crosslin and Rohm for growing marijuana in their basement. Then the government kidnapped Rohm’s son out of middle school—Rohm found out when the boy didn’t get off the bus that afternoon—and put him in foster care. Teter filed papers to seize the land as property used in a drug crime.

At the end of August, the couple gave away their possessions, torched the farm buildings and holed up on the land with rifles. The FBI shot Crosslin on Labor Day. Michigan state police gunned Rohm

down the next morning.

Dean Kuipers’ *Burning Rainbow Farm: How a Stoner Utopia Went Up in Smoke* is a detailed account of the farm’s story, weaving in the couple’s biographies and drug-war history. Kuipers has unearthed an impressive amount of background material—I covered Rainbow Farm for *High Times*, and I learned a lot—though it’s occasionally marred by minor errors (misspelling Harry Anslinger’s name, garbling what I told him about Rainbow Farm’s ticket prices). Generally, however, he gets the flow of events right and tells the tale well.

Tom Crosslin grew up in a brawling hillbilly family in Elkhart, Ind., reaching adolescence as the weed culture of the ’60s was filtering into the factory town. After a stint as a trucker, he built a construction and real-estate business, living as a discreetly out gay man and hard-partying godfather to his crew. Rollie Rohm was a rock-fan stoner and troubled teenage father who joined the crew in 1990.

Sixties counterculture was a strong force in the industrial Midwest, from MC5’s rabble-rousing rock to the 1972 strike by longhaired workers at the GM plant in Lordstown, Ohio. Though gone from most cities by the ’80s, hippie culture survived in rural America. By 1990, “hemp festivals”—micro-Woodstocks with a pot-legalization agenda—had sprung up in places like Logansport, Ind., and Black River Falls, Wis. These provided the template for the “Hemp Aid” and “Roach Roast” events at Rainbow Farm.

The dominant atmosphere there was, as Kuipers puts it, “a cross between Woodstock and a union picnic”—people

with a strong naïve sense of justice, enraged when they had to pee in jars to keep their jobs and wondering why their peaceful party rite brought down such violent repression. I connected to it immediately when I went to Hemp Aid in 1999. Coming from the Lower East Side of Manhattan, I recognized a fellow low-rent counterculture community, a blessed find when my own was being crushed by a ruthless real-estate market and paramilitary evictions. Marijuana was central, but passing the spliff was often more about bonding than intoxication. Being able to burn one openly was liberating (especially coming from Rudy Giuliani’s New York, which led the nation in petty pot busts), but once you left the gates, the descending paranoia was palpable.

Some in this rural-stoner world had odd hippie-rightist libertarian politics. Among the characters involved in Rainbow Farm’s early days were an Indiana pot activist who opposed Social Security (while collecting SSI disability payments) and a Michigan Militia leader who claimed Biblical justification for herb. And while urban blacks would cite Amadou Diallo and Rodney King as examples of police violence, Crosslin was one of the many rural whites who would talk about Waco and Ruby Ridge. And his beliefs were strongly motivated by property rights, the idea that people could do whatever they wanted on his land. Rainbow Farm hired the Michigan Militia as unarmed security one year, but rejected their path in favor of nonviolence and electoral activism, trying to get a marijuana-legalization initiative on the state ballot in 2000 and 2001.

“We are pacifists,” Crosslin wrote Teter in March 1999, but he also warned that “we are all prepared to die on this land before we allow it to be stolen from us.”

The confrontation gradually intensified. In 2000, Crosslin rented an expensive stage setup, enabling him to bring in national acts like Merle Haggard and partial reunions of the Byrds and Big Brother and the Holding Company. (For Kuipers, the Haggard show was totemic, with people waving joints in the air when the singer stretched out the word “marijuana” to twist his 1969 anti-hippie anthem “Okie from Muskogee.”) But police checkpoints on the road in scared off hundreds of people, and the core crew disintegrated in financial acrimony. When the farm was raided the next spring, the die was cast.

Kuipers is telling an important story here. There has been a cultural war going on in America since the late '60s: a war between the spiritual freedom symbolized by hippiedom and open homosexuality and the spiritual lockdown ordained by Mammonite fundamentalism, that rapacious hybrid of imperialist capitalism and dominionist Christianity that has become America's state church. That war—in which one side controls the violence of state power—put Tom Crosslin and Rollie Rohm in a position where their defiance—mixed with mistakes and rage—would get them slaughtered.

It's a story that should be remembered, not least because it was quickly obscured by another religious war. Rollie Rohm's funeral took place on September 11, 2001.

One wonders how many Rainbow Farms loom in the future, in a country whose rulers denounce critics of their militaristic crusades as traitorous faggots. Or how many Rainbow Farms will find room to be born in a land where every physical and cultural corner is colonized by corporate greed. ■

BOOKS

Jane Jacobs, Reconsidered

By Sandy Zipp

WHEN JANE JACOBS died this past spring, the flood of obituaries carried with them a litany of praise. Jacobs, they said, had faced down the great, infamous builder Robert Moses, ended neighborhood-killing urban renewal policies, and transformed urban planning with her lyrical evocation of Greenwich Village's "intricate sidewalk ballet" in *The Death and Life of Great American Cities*.

And yet, these sorts of tributes to a "legend"—while not undeserved—gloss over political and historical context, and drown questions of Jacobs' larger significance for postwar history in a readymade bath of piety and awe. So it is welcome that, after a fitting period of mourning and tribute, the first book-length treatment of Jacobs' life and work, Alice Sparberg Alexiou's *Jane Ja-*

cobs: Urban Visionary, should appear this summer.

Unfortunately, Alexiou's book doesn't quite deliver the goods. Denied direct access to Jacobs and her family and friends, Alexiou gamely circles around the edges of the thinker's world, delivering a thorough account of Jacobs' career and the response to her books and activism. Too often, however, she delivers abstract paeans to Jacobs' thought that assume too much. "The eloquence of Jane Jacobs," she writes in a typical passage, "affected our souls so viscerally that decision makers could not for long ignore the passions she had stirred up." This feels less like a judgment than a received notion. Where Alexiou makes criticisms—Jacobs' insufficient attention to race, for instance, or that her concept of "unslumming" was simply a bloodless term for the unsavory process of gentrification—they seem to be exercises in finger-wagging over Jacobs' "silences" rather than efforts to understand what those gaps can tell us about Jacobs' approach to her two great interlinked subjects: cities and economies.

[art space]



Erena Rae (1941-2006) was a print and graphic artist whose work explored gender roles and social representation. For 30 years, she worked as a commercial and print artist; her career included a noted redesign of *Calligraphy Review Magazine*. The piece on the left is "Big Burden" from the "No-elle" series, which considers the diminutive nature of feminine suffixes. Of her work Rae wrote, "My social conscience (the feminist part, at least) was born the moment my first-grade teacher announced that the word 'he' was a neutral pronoun." Selections of her print work can be found in *The Best of Printmaking: An International Collection*, and Milton Glaser's *The Design of Dissent: Socially and Politically Driven Graphics*.



Jane Jacobs (holding "Save Penn Station,") and architect Philip Johnson stand outside Penn Station to protest the building's demolition in 1963.

WALTER DARRAN/HUTTON ARCHIVE/GETTY IMAGES

Jacobs was born Jane Butzner in Scranton, Pa., in 1916, the third child of a nurse and a prominent doctor. From Scranton and her parents she inherited a potentially paradoxical combination of love for cities and belief in the supposedly "small town" virtues of independence and ingenuity. "I was brought up to believe," Jacobs later wrote, "that simple conformity results in stagnation for a society, and that American progress has been largely owing to the opportunity for experimentation, the leeway given initiative, and to a gusto and freedom for chewing over odd ideas." This echoed throughout her work; she consistently looked for the patterns of small town life lurking beneath the complexity of cities and maintained that economic growth was a function of ideas and ingenuity.

After high school Jacobs moved to New York. There, she discovered Greenwich Village, where she would live until she left the United States for Canada in 1968. After World War II, Jacobs took an editorial position at *Architectural Forum*, the tribune of modernist design and city planning owned by Time-Life. At *Forum*, she became increasingly disturbed by the modern "tower-in-the-park" city rebuilding schemes her bosses considered state-of-the-art urban design. To her, they disregarded and even destroyed everything she valued about life in New York.

As Alexiou demonstrates, she really began to doubt the virtue of the new housing and renewal projects after she met

William Kirk, the headworker at Union Settlement House in East Harlem. Kirk and his colleagues were seeing an unprecedented influx of public housing in their neighborhood. Huge slum clearance projects were displacing long-term residents and businesses, while new residents struggled to adapt to life in the austere modernist towers. She joined the Union Settlement Board and—although Alexiou does not mention it—contributed to the East Harlemites' seminal (although largely forgotten) efforts to reform public housing design. Later, in *Death and Life*, she would credit Kirk with "the basic idea" that drove her book, that of "understanding the intricate social and economic order under the seeming disorder of cities."

Meanwhile, Jacobs was developing a reputation as an iconoclastic urban thinker. Her editors—despite their difference of opinion—continued to support her, sending her to conferences and publishing her critiques. They even put up with her notoriety, which stemmed from her first foray into activism, a successful six-year battle fought alongside her neighbors to prevent Robert Moses from running a road through Washington Square Park. In 1958, after her article, "Downtown Is For People," appeared in *Fortune* magazine, she secured a grant from the Rockefeller Foundation to turn her ideas into a book. Taking a leave from work, she retired to the Village to write.

More than two years later, as she was

finishing *Death and Life*, Jacobs learned that the city was planning a renewal project for her neighborhood. Once again she joined her neighbors in the fight, helping to form the Committee to Save the West Village. For almost a year the Committee demonstrated, wrote letters, circulated petitions and packed meeting halls, finally getting the city to reverse its designation of the West Village as a slum in early 1962.

And yet, just as that struggle ended, a new one began. In 1962, Moses moved to build the Lower Manhattan Expressway. Starting at the Holland Tunnel, Lomex, as it was called, would have plowed through the lower part of the Village and cut a vast swath through Soho before slicing through Little Italy and Chinatown on its way to the Manhattan Bridge. By the time the successful six-year campaign to kill the expressway ended in early 1969, Jacobs had left the country altogether, driven to Toronto by her opposition to the Vietnam War and her dismay over her clashes with New York officials.

In Toronto, Jacobs continued both her activism and her writing, churning out eight more books between 1968 and 2004. As Alexiou shows, Canadians embraced Jacobs as an "urban guru." Even as she faded into near-obscurity in the country of her birth, she remained an active contributor to public life in Canada until her death.

Unfortunately, Jacobs is more often referred to than read these days, so it's a shame that Alexiou doesn't give sustained attention to what she rightly calls Jacobs' great "urban trilogy": *Death and Life*, *The Economy of Cities* and *Cities and the Wealth of Nations*. She skims over the surface of these works—summing up their contents rather than delving into them—preferring to focus on illustrative case studies, reviews of the books and the reverberations they caused. She devotes the most attention to *Death and Life*, which is fitting, as it has become something of a minor classic.

Amongst urbanists, the book is often recalled for its four-part prescription for diverse, healthy city neighborhoods: districts with multiple functions, short blocks, buildings that vary in age and condition, and a sufficiently dense population. But the heart of the book, and the jumping off point for her later work on economics, is the lesson she had learned in East Harlem. Cities, she wrote, posed

"a problem in handling organized complexity." She found a natural order beneath the seeming chaos of cities, one that she likened to what Alexiou calls "delicate, teeming ecosystems." For Jacobs, cities and economies alike are products of millions of individual decisions and ideas that combine in cooperation to form an "organic whole."

Jacobs' iconoclastic ideas raised questions about her political beliefs. Her opposition to the Vietnam War and her role in organizing movements for urban social justice seem to mark her as a woman of the left. And yet, conservatives also embraced Jacobs' wars with City Hall, joining her on the barricades to stop federal urban renewal policy. They found comfort in her cantankerous individualism and her attack on planners and government bureaucracy. Her economic ideas—which locate the roots of productivity in ingenuity rather than class struggle—attract libertarians.

Of course, as Alexiou shows, Jacobs steadfastly rejected all political labels. Alexiou rightly suggests that we see Jacobs as a pragmatist. One of the joys of reading Jacobs is the improvisational way

she recombines ideas from across the political map, using whichever seem to work at the time to help her understand a problem. But Jacobs was more than a pragmatist. She was perhaps the greatest proponent of a new, postwar political stance: the rebel against technocratic modernization.

Unfortunately, Jacobs' conception of the way that complexity is squeezed out of cities and economies is somewhat one-dimensional. She can see coercion from outside, imposed on her organic systems, but rarely within them. Her neighborhoods and economies work by way of cooperation and parallel tasking, but not by way of power, conflict or exploitation.

Understanding the role of social divisions like race, gender, class and sexuality—whether in urban space or in economic development—requires believing in the importance of conflict, discrimination, inequality and struggle. Jacobs' activism and ideas have endeared her to several generations of city lovers, both liberal and conservative. And yet her ideas find their limits in those hard realities that still bedevil more conventional thinkers on both the right and left. ■

BOOKS

C'mon, Get Happy

By Jeanine Plant

TOWARD THE END of F. Scott Fitzgerald's "The Crack-Up," an essay about his personal decline during the Great Depression, he wrote, "The natural state of the sentient adult is a qualified unhappiness." Glancing at the headlines today, it's hard not to agree.

Within the past six months, a spate of books on happiness has appeared in stores as if to remind us of our right to pursue it. Positive-psychology enthusiasts Daniel Gilbert and Jonathan Haidt arrived with *Stumbling on Happiness* and *The Happiness Hypothesis*, respectively. Former cell biologist-cum-Buddhist monk Matthieu Ricard, with Richard Gere's seal of approval, wrote *Happiness: A Guide to Developing Life's Most Important Skill*. And Darin M. McMahon, an intellectual historian, produced the exhaustively researched and edifying *Happiness: A History*.

The idea of a right to happiness is a relatively new phenomenon. In ancient Greece, happiness materialized in life as in plays: via *deus ex machina*. In other

spin cycle

BY JESSICA CLARK AND TRACY VAN SLYKE

Swiftboating Murtha

After becoming media darlings in 2004 for their public relations assassination of Sen. John Kerry, the group Vets for the Truth (formerly known as Vietnam Vets for the Truth) has turned its attention to "swiftboating" a new target—Rep. John Murtha (D-Pa.).

Murtha, a Democrat known for hawkishness (and the first Vietnam veteran elected to the House), made waves last November when he called for the redeployment of troops from Iraq, and again in early 2006 when he claimed that there was a cover-up of the massacre in Haditha. Conservatives swung into action.

"Congressman Murtha is a respected veteran and politician who has a record of supporting a strong America. So it is baffling that he is endorsing the policy positions of Michael Moore and the extreme liberal wing of the Democratic Party," said former White House Press Secretary Scott McClellan.

Building on the "Kerry Lied," theme, the online attacks have moved from the now-defunct Murthalied.com to the current BootMurtha.com where the mission is to "bring Murtha's outrageous lies to the attention of the voters of the Twelfth Congressional District of Pennsylvania."

Murthalied.com was the

brainchild of Amanda P. Doss, the woman behind Operation Street Corner, a site dedicated to, "The Vietnam Veterans' Grassroots Campaign Against John Kerry and Jane Fonda, traitors to our country." Sean-Paul Kelly, editor of the blog, The Agonist, first investigated Doss' involvement, and then publicly posted her e-mail (which Kelly said was widely available). Doss received many negative responses, and Murthalied.com quickly disappeared. Doss then joined forces with John "Proud to Be Swiftboating" Bailey of VFTT at Boot Murtha.

Bailey defines swiftboating in his own special way:

"Exposing the lies, deceit, and fraud of self-glorifying public officials or candidates for public office who exaggerate their military service by lying about their feats of heroism and combat wounds."

As of July 13, the Web site had raised \$6,223 in their quest to reach \$7,750 by July 14 in order to mail all the veterans in Murtha's district.

To learn more about the Murtha Swiftboating, see blogger Taylor Marsh's detailed post at www.patriotproject.com/2006/07/the_swiftboatin.php.

traditions, happiness was reserved for the “godlike” few—a Stoic ascetic, say, or Catholic saint—and the average person sought it only in otherworldly realms like the Elysium fields. Our understanding of happiness shifted during the Enlightenment, McMahon says, when, theoretically at least, everyone could attain happiness on earth.

Happiness: A History is not a self-help book and does not teach the reader how to acquire contentment. It does, however, encourage the reader to consider happiness more critically—McMahon shows that much of happiness is relative. Take wealth, for example: how much a person wants depends entirely on how much their peer group possesses. McMahon also notes the pernicious effects of the happy faces in advertising. When you measure your own face against them, you might register a tinge of sadness. McMahon calls this the unhappiness of not being happy.

Ricard sees harm in advertising, too. Our consumer society tirelessly produces “countless bogus pleasures” that detract from a lasting contentment. He wants the reader to grasp the difference between true joy—a natural manifestation of well-being—and euphoric fleeting pleasures. Ricard offers meditation exercises to help the reader make these distinctions. The goal is developing a level of introspection that will dispel ignorance, encourage empathy and lead to true happiness.

Haidt also recommends meditation in *The Happiness Hypothesis*. It, like Prozac and cognitive therapy, helps to offset your “low biological set point,” or your genes, which may be part of the problem. But unhappy biology need not translate to an unhappy destiny. Haidt shows that conditions such as a long commute or voluntary activities like exercising influence your level of contentment as well. The crux of Haidt’s project is locating a balance between philosophical insight, the findings of neurology, and Eastern and Western modes of thought.

Finding a balance between the present and the future is Gilbert’s project in *Stumbling on Happiness*. The vision we have of what will make us happy in the future is a mere reflection of our present. But our imagination is as unreliable as our memory; we can’t correctly foresee what will make us happy in the future. Moreover, in the face of adversity, our “psychological immune system” kicks in and we overcompensate for hardship by way of ex-

excerpt



Media Monsters and the Living Dead

In her new book, *Pretend We’re Dead*, Annalee Newitz, a contributing editor at *Wired*, argues that horror films of the past century embody the violent contradictions of capitalism.

Media companies who attempt to use existing social networks to spread their messages are working in the tradition of [Douglas] Rushkoff’s media virus. ... Advertisers use graffiti and wheat-pasted posters to raise brand awareness, and entertainment companies try to pass off their products as cool by sponsoring underground parties. The idea is to erode the distinction between media maker and media consumer, turning audiences into distributed factories for the production of more media hype.



The Ring articulates how audiences are complicit in their own conversion into media monsters. To avoid dying, people who watch Samara’s tape will have to keep copying it, passing it along, and making other people watch it. ... In *The Ring*, no one is entirely a victim of the information economy because consuming media forces people to become complicit with its spread.

I call this a cynical viewpoint because it leaves us no possibility of a negotiated reading, no back door to the set that we can walk through to reach material reality. The media are a virus lodged inside us. We cannot escape infection, only pass it on.

planation. These explanations transform experience.

Gilbert might explain this particular outpouring of books as the kicking in of our collective “psychological immune system” in an increasingly disillusioned post-9/11 society. McMahon similarly observes that, “the very prevalence of these titles is a sign that all is not well.”

Indeed, these current books evoke the publishing industry’s propensity for promoting books on depression during the ’90s—when the giddy dot-com boom promised wealth for all. *Prozac Nation* and *Listening to Prozac* were published in concert with the pharmaceutical industry’s aggressive campaign to sell selective serotonin reuptake inhibitors. So, when we were happy, we read about being sad.

Mired in the present political situation, these new books seem to want to preclude an epidemic of depression, even though millions are already taking SSRIs. More than that, though, goading happiness is a way to avert a crisis of consumer confidence. Recall that Bush’s post 9/11 advice for Americans looking to serve their country was to go shopping. He couldn’t tell us to cheer up, so he told us to go buy stuff.

These books never offer such advice. In fact, most of these writers eschew the concept that material possessions offer solace—except for Gilbert, who is strangely in thrall to the Mercedes-Benz SL600. Look inward, says the Buddhist. Work capably regardless of your station because you never know what will make you happy, say the positive psychologists. Even the historian’s study retains a whiff of the industry agenda: Contemplate ideas of happiness from days of yore, McMahon says, and decide what works for you. Buy these books, says the industry, and life can be good.

On one other point they all seem to agree: If you’re unhappy it’s your problem. The onus to be happy is squarely on the individual, not on changing the status quo.

In the ’30s, Fitzgerald could see the connection that these writers do not: “My recent experience parallels the wave of despair that swept the nation when the boom was over.” Taken together these books somehow miss the point that so much of our personal unhappiness stems from the darkening political situation in this country. To paraphrase Adorno, they fail to see that being happy after Guantánamo is barbaric. ■

BY TERRY J. ALLEN

Unexploded Ordnance: Our Legacy in Laos



AS THE YEARS pass and the men who dropped the bombs expire in their beds, the rate at which Lao-tians die from U.S. unexploded ordnance (UXO) rises.

Since the end of the Vietnam War, the millions of yellow cluster bombs that litter Laos have claimed more than three times as many dead as the World Trade Center attacks.

Thanghon is one of the “lucky” thousands who have survived. Sitting in a wheelchair, she talked through a translator in Vientiane, the backwater capital of a backwater country that lies curled like a sleeping cat along the Mekong River.

“I was working on the family farm and digging in the ground when a UXO exploded,” she says. “Two of my friends died.”

“I came to Vientiane for the amputations. It took three days and two nights by bus,” she continues. “I was at the point of death.” Thanghon lost both her legs and the use of one hand after a hoe struck a quarter-century-old “bombie.”

A member of the Liu minority, Thanghon, 40, grew up in a small village in Phongsali province. From 1964 to 1973, the United States bombed the area as part of its illegal and “secret” war to disrupt the Ho Chi Minh Trail and undermine the Viet Cong supply route into Vietnam.

During those nine years, Laos, a country the size of Oklahoma, absorbed 2 million tons of American bombs, more than all the munitions dropped on Germany during WWII. On average, a planeload of bombs rained down every eight minutes, around the clock.

The ironically bad news is that up

to a third of the fragmentation devices failed to explode. Instead, they turned Laos into an obstacle course where death and dismemberment is the penalty for one wrong step or misplaced hoe. Anything—or nothing—can set off these anti-personnel bombs. Typically, the victims are farmers trying to eke out a living and children, who are attracted by the bright yellow balls.

The country’s scarcity of arable land and abundance of poverty are driving the rise in accidents. Desperate farmers must weigh certain hunger against incalculable risk to grow food in fertile but mine-laced fields.

Unscrupulous scrap metal dealers from neighboring Vietnam are cashing in. As metal prices increase, UXO are becoming a cash crop. Dealers entice Lao-tians to hunt shrapnel and bombs by lending or renting them metal detectors. Farmers who earn a few hundred dollars a year are gambling life and limb for metal that brings a few dollars a pound.

Laos is a desperately poor country with an inadequate health system and an average life expectancy of 59 years. The disabled here have few options unless they reach Vientiane’s National Rehabilitation Center, a dusty complex of rustic buildings on the edge of town.

It survives on a trickle of domestic and foreign funds, but the United States, which caused most of these injuries, has done little to redress the damage or prevent more. In a post-Cold-War world, Laos is an inconsequential anachronism with little strategic value and less oil. What U.S. policy there is toward Vientiane is largely in thrall to the Lao Veterans of America, a California-based group largely comprised of Hmong people recruited by the CIA to fight Communism.

The Hmong lobby opposes aid to Laos—even for clearing mines. In

this—and the influence it wields in a few Congressional districts—Hmong interest groups resemble the anti-Castro Cubans: Each group so despises the current government that it would strangle the populace rather than bolster the rulers.

I ask Thanghon if she is angry at the people who dropped the bombs.

“No,” she says. “We don’t hate them, but we don’t understand why we were fighting. It is our bad luck to be bombed.”

Bad luck may explain a particular victim, but had little do with Washington’s decision to bomb a neutral country. As part of a Cold War strategy, Presidents Kennedy and then Nixon pursued the Laos campaign in secret, without the consent of Congress or the American people. In addition to the bombies, U.S. planes dropped napalm and dioxin—chemical weapons that persist today, poisoning land, water and people.

The Geneva Convention banning chemical weapons was only one legal nicety Washington ignored. The other was the secret war itself, which violated international laws prohibiting attacks on neutral countries. A member of the committee that impeached Nixon, Elizabeth Holtzman, argued at the time that the secret bombing campaigns should have been high on the list of Nixon’s impeachable crimes. Wary of turning the impeachment proceedings into a forum on the war, the committee omitted the issue.

That failure of Congress and the courts to stop an illegal war and to hold a president accountable for war crimes resonates today, not only for Thanghon and Laos’ current and future casualties, but for a new set of victims in Iraq, in the U.S. armed forces and in sequestered prisons around the world. ■

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Superheroes

Continued from back page

the amount of earnings each wires across the border.

All well and good, you might say. These people work hard, and undoubtedly play important roles in the economy. But they are so easily missed in the hubbub of big-city life. Who can remember the face of the *taxista* who dropped you off at your destination, of the waiter who served you *arroz con frijoles*?

That invisibility was what Pinzón set out to highlight, and to do so, she settled on a simple yet dramatic ploy: superhero costumes. Aqua Man slices open a gigantic tuna in the back of a fish market; Superman zooms down a street on his bike, delivery food in his basket and red cape billowing in the wind; the Red Cricket (*El Chapulín Colorado*—a popular Mexican character) pushes a loaded wheelbarrow up a ramp at a construction site. The resulting photographs are visually arresting, portraying immigrants as both humble and proud, and they successfully bring a fresh perspective to a topic that's usually debated within the stale confines of defensive Democrats and nativist Republicans.

Pinzón's inspiration came when she saw a Spiderman costume for sale in a Mexican market while walking with her mother during a visit home. When she returned to New York, she began to search for potential immigrant laborers, explaining her idea and asking if they would participate. Working within what she calls a "fiction-documentary" style, she tried to find immigrants whose occupations matched a superhero's ability. (The Incredible Hulk, for example, is a man from Guerrero named Paulino Cardoza, who unloads heavy shipments for a grocery store.) She hopes to eventually find six more people for the project, and recently received funding from the New York Foundation for the Arts to complete the exhibit. Thus far, "The Real Story of the Superheroes" has been shown in several cities in Mexico, Santa Fe, Tulsa, San Francisco and San Diego, and will be on display at the Queens Museum of Art in New York City from July 21 to Sept. 17.

Pinzón writes in her artist's statement: "The principal objective of this series is to pay homage to these brave and deter-

mined men and women that somehow manage, without the help of any supernatural power, to withstand extreme conditions of labor in order to help their families and communities survive and prosper." Anyone who has witnessed the occupational hazards that exist in a fish market or negotiated the treacherous terrain of potholed city streets on a bike in the rain understands such obstacles. And anyone who has journeyed to the states of southern Mexico where the immigrants in the exhibit originate—Puebla, Guerrero, Oaxaca—can quickly attest to the vital lifeline that remittances play for those left behind.

Ironically, it wasn't until she left her native Mexico and landed in New York City that Pinzón began to really notice Mexican laborers. "I went to private schools and was very privileged, but didn't realize it at the time," she says. "That's probably how it is everywhere for people like me." Her father owns a successful construction company in Puebla, and when she was growing up, her parents were able to afford a dark room in the house where she could develop photos. Questions of privilege and class didn't need to be studiously avoided—they went completely unnoticed.

"When I got to New York I found myself having to assimilate, and that's when I became interested in the lives of other Mexicans," she explains. "I suddenly saw all of these people here—my people—and at the same time I saw them doing what I was doing: blending in but also maintaining our own identities." She also realized that even as the number of Mexicans in New York City dramatically increased—they are Gotham's fastest growing immigrant group—they were still generally ignored by Anglos, just as she had found it easy to overlook the working-class Mexicans back home.

Along with her own struggles to assimilate and earn a living (for a period, she herself was undocumented, and worked under the table as a waitress), a key experience in her political development came when Pinzón spent two years volunteering on a local union campaign. "We were working to organize the Mexican greengrocers," she recalls about her time spent with Local 338 of the UFCW. "And even though I loved the work, I could see that the unions weren't ready to fully incorporate the Latinos. There was still some

resistance, and this resistance meant that they weren't using the full potential of these workers. I think that now with the recent protests around immigration, you're finally seeing the power that we can have, if we get organized. People aren't able to ignore the growing Latino presence in this country anymore."

Pinzón says her most rewarding experience of the Superheroes project came when she returned to Mexico for the opening of the exhibit in Puebla. By chance, Maria Luisa Romero, who is from Puebla and works at a Brooklyn laundromat, was also in town to visit her parents and bring her 14-year-old daughter, Anayeli, to Brooklyn. Romero, a.k.a. Wonder Woman, came to the exhibit's opening with Anayeli and was one of the stars of the show. "She loved it," Pinzón remembers. "She was standing around, drinking wine and talking to people from *La Jornada*, *El Reforma* and *El Universal*. You should've seen it, her cheeks were so red!"

When I speak with Romero, she agrees. "The event was beautiful—there were so many people to meet," she says excitedly. "Reporters took my picture and asked me all sorts of questions; everyone was very interested in the life of an immigrant."

But when the event ended, Romero's celebrity didn't make the arduous task ahead any easier. She and her daughter, both born in Mexico, had to cross the busy border near Tijuana illegally. "It was very difficult to cross, because there was too much *migra*," she explains. They were apprehended three times by Border Patrol agents before finally making it safely into the United States, where Anayeli now attends a bilingual high school and Romero is back at the laundromat.

"That is why I think Dulce's project is so important," Romero says. "Americans need to know the hardships and suffering that immigrants must go through in order to help their relatives back home." She's been waiting anxiously to see if an immigration reform bill emerges that could eventually grant her citizenship. Having worked in the country for six years, she is optimistic that Wonder Woman might one day be able to visit her parents without having to worry about how she'll get back. ■

GABRIEL THOMPSON is a Brooklyn-based writer. His book about Mexican immigrants, *There's No José Here*, will be published later this year by Nation Books.

SUPERHEROES

INVISIBLES NO MÁS

BY GABRIEL THOMPSON

On a pleasant June evening, I'm seated across the table from photographer Dulce Pinzón in a crowded Mexican restaurant in Brooklyn. Looking over the menu while trying to come up with a few reasonably articulate questions for an

interview, I notice out of my right eye a broad-shouldered worker rushing by our table. He looks strangely familiar.

"Is that ... *Hombre Elástico*?"

Pinzón nods—it is Mr. Fantastic, the man of astounding intelligence and extreme malleability, leader of the Fantastic Four (and who, in Spanish-speaking countries, is known as the "Elastic Man"). Even without the three-foot-long forearms and the blue six-pack stomach, I remember his photo clearly, with his chubby cheeks and easy smile on display as he delivers a dish to waiting customers.

"That's how I met many of the superheroes," Pinzón explains, "just by running into them during my normal life. Wonder Woman (*Mujer Maravilla*) works at the laundromat where I wash my clothes, Superman delivered food to my apartment one day. These are people that I saw contributing in many ways to our lives, but they are also people that it's easy to ignore, to not really notice."

Born in Mexico City, Pinzón, 31, earned a degree in Mass Media Communications at the prestigious Universidad de Las Américas in Puebla. In 1995 she moved from Mexico to New York City, where she continued to pursue her primary passion, photography. Her latest project, "The Real Story of the Superheroes," consists of 14 intimate portraits of immigrants at work in the Big Apple: Nanny. Construction worker. Taxi driver. Fish cleaner. Even a prostitute. All of the subjects photographed are from Mexico, and all send money back home to family members. Below each portrait is the immigrant's name, their home state in Mexico, the year arrived and



PHOTOS: DULCE PINZÓN



CONTINUED ON PAGE 47